Supreme Court, U.S.
FILED

03 712 SEP 3 - 2003

Civil Action in Comity No.

from the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law: Yahvah's Kingdom ecclesiastical common law Court per Matthew 18:15-20

At all times by special visitation only without consent to any venue or jurisdiction not acknowledging Yahvah's Kingdom

in the **Supreme Court of the United States**

Yahvah in and thru "Yahvah's Kingdom People" Ekklesia via "YKP" Kingdom corporation sole Ambassador Claude Hugh Lloyd the Second &Ambassador Cassondra Jean Lloyd
Claimant, Appellant, Demandant-in-Comity, Petitioner

vs.

Henry Cueliar –Texas Secretary of State
Rick Perry –Texas Governor
Clarence James –Harris County Appraisal Review Board
Jim Robinson –Harris County Appraisal District
Pete Alfaro –Baytown Mayor
Don Hendrix –Crosby ISD
Barbara Sultis –Goose Creek ISD Superintendent
Respondents

**On Petition for Writ of Certiorari**
to the **United States Court of Appeals**
for the **Fifth Circuit** Civil Action in Comity 02-21226
and to the United States District Court, Southern District of Texas, Houston Division Civil Action in Comity 02-CV-87

# Petition for Writ of Certiorari

by Claimant-Appellant Yahvah in and thru Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Ambassadors visiting 3602 Savell Drive Baytown, Texas (77520), Kingdom Of Yahvah, foreign Venue and Jurisdiction –telephone: (281) 837-6747

**Oral Argument Requested**

10 11

## Questions Presented:

?1 What court or Court does the Supreme Court of the United States consider appropriate to hear Yahvah's Demand on its merits for a commercial judge to sign an "Order of Judicial Determination" in comity?:

- the "Supreme Court of the United States"?,
- the Article III "one supreme Court"?, or
- some other court?

?2 If the conditional jurisdiction of an in-the-family-since-1824 Spanish Land Grant Treaty comes into question, how can the Statutes at Large and "the Senate and House of Representatives of the <u>united States of America</u> <u>in Congress assembled</u>" be asked to uphold the 1848 "Treaty of Guadalupe Hidalgo –9 Statutes at Large 922"?

?3 By what authority does state or federal agencies exercise jurisdiction over Yahvah's non-commercial Kingdom: Ekklesia, People, Ambassadors, Land and Things:

- whose allegiance is exclusively to Yahvah, His Kingdom, and His Righteousness; and
- who live by The Power of YahvahRuach in Yahvah's Ways, Scriptural Statutes, Commandments, Judgments, and Testimonies –1 Kings 2:3, Deuteronomy 30:19-20 ... and not in the traditions of men; and
- whose being out of commerce and out of the ways of the traditions of men has been long-ordained by Yahvah, long-established in the public record, and long-ago tacitly acknowledged by the highest federal and state political leaders?

**List of Those Involved**

**Claimant, Appellant, Demandant-in-Comity, Petitioner:**

- Yahvah in and thru Yahvah Kingdom People Ekklesia via YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas, (77520) Kingdom Of Yahvah –281-837-6747

**Respondents:**

- Henry Cueliar –Texas Secretary of State, (thru Successor Gwyn Shea), –512-463-5560 1019 Brazos Street, Room 220, Austin, Texas (78701)
- Rick Perry –Texas Governor, –512-463-2000 1100 San Jacinto Street, Austin, Texas (78711)
- Clarence James –Harris County Appraisal Review Board, 2800 N. Loop W, Houston, Texas (77092) –713-812-5800
- Jim Robinson –Harris County Appraisal District, 2800 N. Loop W, Houston, Texas (77092) –713-812-5800
- Pete Alfaro –Baytown Mayor, –281-420-6501 2401 Market, Baytown, Texas (77520)
- Don Hendrix –Crosby ISD Superintendent, –281-328-9204 706 Runneburg Rd., Crosby, Texas (77532)
- Barbara Sultis –Goose Creek ISD Superintendent, 1415 Market Street, Baytown, Texas, (77520) –281-420-4842

Note: In error USCA5 suggested that "CITY OF BAY-TOWN" be added to those involved; Suggestion was "denied for the cause" that the "CITY OF BAYTOWN" is a fiction and not of like kind to the other respondents as explained further in Exhibit 204 "Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003";

There are no corporate disclosure statements applicable to this matter;

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* All of Scripture is The Only Authority that all souls are subject to per Romans 13:1; Herein Scriptures presented are what the Scriptural cites mean based upon diligent research in the earliest available original-language, Covenant Name, and interlinear Scriptures and much YahvahRuach Discernment;

Note: Color-of-law is applicable for those in commerce; Because Yahvah is not in commerce nor is a respecter of persons, color-of-law is used only in comity to communicate Scriptural Principles that show up in color-of-law also:


| | |
|---|---|
| Bouvier's Law Dictionary 1856 6th Ed | 1, 3, 4 |
| Ballentine's Law Dictionary 1969 3rd Ed | 1, 2 |
| 1 Blacks Commentaries 86 | 3 |
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| Seymour v Canandaigua & NFR Co,–25 NY 284 | 3 |

**IX Index to Appendices**: Exhibits 102, 103, 105 are made a part hereof by reference*; Court is to take judicial notice of all in the USDC, USCA5, and USSC files:


in **USDC** record for Cause # 02-CV-87 :

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| 204 | Claimant's "Appellant's Demand to Reconsider 6-5-2003 unpublished opinion" | 23 | 6-18 |
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| 303 | "Judicial Determination Order"–to sign | 2 |

## I Definition of Terms:

Because many in the lower courts have misconstrued the "in comity" nature of Yahvah's "Demand for Judicial Determination", the following definitions are submitted to prevent misrepresenting the "Nature" and "setting" of this Cause: –see USDC record pages #449-445

1. Terms Defined:
   This Cause is brought based on Scriptural Law:
   1.1 In "**Comity**" not "Equity";
   1.2 by "**Claimant**" not "Plaintiff";
   1.3 via "**Demand**" not "Complaint";
   1.4 for a "**Judicial Determination**";
   1.5 with responses due in "**60 days**", not "45 days";

1.1 In "**Comity**" not "Equity":

"**Comity**" per Bouvier's Law Dictionary, 1856 6th Edition:

"Courtesy, a disposition to accommodate; 3. It is a general rule that the municipal laws of a country do not extend beyond its limits, and cannot be enforced in another, except on the principle of comity. But when those laws clash and interfere with the rights of citizens, or the laws of the countries where the parties to the contract seek to enforce it, as one or the other must give way, those prevailing where the relief is sought must have the preference."

"**Comity**" per Ballentine's Law Dictionary, 1969 3rd Edition:

"Literally, courtesy or civility, to which the law *(color-of-law)* adds some refinements in defining the term for the purposes of conflicts of laws and international law –Neither a matter of absolute obligation on the one hand nor a mere courtesy and good will on the other, but the recognition which one nation or state allows within its territory to the legislative, executive, or judicial acts of another nation or state, having due regard both to international duty and convenience and to the rights of its own citizens or of other persons who are under the protection of its laws.
16 Am J2d Confl L §4; 30 Am J Rev ed Internat L §6."

Therefore Caption, Summons, and Responses are to use "**in Comity**" rather than "in Equity";

1.2 by "**Claimant**" not "Plaintiff": per Ballentine's Law Dictionary, 1969 3rd Edition:

• **Claimant** (page 206): One who claims; a voluntary applicant for justice; the libellant in a proceeding in rem in admiralty or one who appears in such a proceeding to claim the res or an interest therein;

• Libellant (page 732): The complaining party in an admiralty or ecclesiastical suit;

• Plaintiff (page 952): The party complaining in an action or proceeding;

A person who brings a suit, action, bill, or complaint. Any natural or artificial person who institutes an action in his own name or who is joined of record with another or with others who are maintaining an action or proceeding;

Note: • Yahvah is not a PERSON, nor a natural or artificial person, nor is He a respecter of any person (DEAD or alive –How can a fiction be alive?) –Leviticus 19:15; Proverbs 24:23; Acts 10:34-35; Romans 2:10-15; Galatians 2:6; Colossians 3:23-25; 1 Peter 1:15-20;

• Yahvah Tsaddiyq (Tsad-deek') –Yahvah The Righteous One– Creator of All, did not create man to rule over The Righteous, nor is He a plaintiff before the man that He created; He has exclusive dominion over All Creation;

Therefore Caption, Summons, and Responses are to use "**Claimant**" rather than "Plaintiff";

1.3 via "**Demand**" not "Complaint";
per Ballentine's Law Dictionary, 3rd edition:

• **Demand** (page 330): A Claim; a legal obligation; a request to perform an alleged obligation; a written statement of a claim; a requisition or request under a claim or right; the assertion of a right to recover a sum or money from the person upon whom the demand is made;

• Complaint (page 234): A bill in equity; a pleading by which the plaintiff in a civil action, whether of a legal or equitable nature, sets out the cause of action and invokes the jurisdiction of the court; In some instances and under some statutes, it comprehends oral as well as written allegations;

Note: • Yahvah's Claim is based on His Dominion that He has over All that He Creates; And He is the Only Creator of All Things: "He has the right of **dominion** over that which he **creates**." –Genesis 1 and 2; Isaiah 45:12; Ephesians 3:9-12; 1 Timothy 6:15; Colossians 1:16-17;... (Common Law Maxim; 8 Coke 92, 153; Seymour v. Canandaigua & NFR Co 25 Barb (NY) 284, 301; Fassett v. Smith 23 NY 252; Weisman 1291, 1294, 1295);

Therefore Original Cause Caption and Summons use "**Demand**" rather than "Complaint";

1.4 for a "**Judicial Determination**";

"**Judicial Determination**" is a Declaratory Judgment defined in color-of-law Civil Procedure Rule 57:

> "The procedure for obtaining a declaratory judgment pursuant to Title 28 U.S.C. § 2201, shall be in accordance with theses rules, ...
>
> The existence of another adequate remedy does not preclude a judgement for declaratory relief in cases where it is appropriate. The court may order a speedy hearing of an action for a declaratory judgment and may advance it on the calendar."

Title 28 U.S.C. § 2201. **Creation of remedy**

> "(a) In a case of actual controversy within its jurisdiction... any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such."

"**Declaratory**" per Bouvier's Law Dictionary, 1856 6th Ed:

"Something which explains, or ascertains what before was uncertain or doubtful; as a declaratory statute, which is one passed to put an end to a doubt as to what the law is, and which declares what it is, and what it has been. 1 Black's. Commentaries. 86"

Note: • The **One and Only Issue** in this cause seems to be unclear with some political leaders of the State

(Respondents), which is the reason for this cause: to clarify the cause's **One and Only Issue** for those public servants requesting clarification;

"**Judgment**" per Bouvier's Law Dictionary, 1856 6th Ed:

"The decision or sentence of the law, given by a court of justice or other competent tribunal, as the result of proceedings instituted therein, for the redress of an injury.

2. The language of judgments, therefore, is not that "it is decreed," or " resolved," by the court; but " it is considered," (consideratum est per curiam) that the plaintiff recover his debt, damages, or possession, as the case may require, or that the defendant do go without day. This implies that the judgment is not so much the decision of the court, as the sentence of the law pronounced and decreed by the court, after due deliberation and inquiry.

3. To be valid, a judicial judgment must be given by a competent judge or court, at a time and place appointed by law, and in the form it requires. A judgment would be null, if the judge had not jurisdiction of the matter; or, having such jurisdiction, he exercised it when there was no court held, or but of his district; or if be rendered a judgment before the cause was prepared for a hearing.

4. The judgment must confine itself to the question raised before the court, and cannot extend beyond it. For example, where the plaintiff sued for an injury committed on his lands by animals owned and kept carelessly by defendant, the judgment may be for damages, but it cannot command the defendant for the future to keep his cattle out of the plaintiff's land. That would be to usurp the power of the legislature. A judgment declares the rights which belong to the citizen, the law alone rules future actions. The law commands all men, it is the same for all, because it is general; judgments are particular decisions, which apply only to particular persons, and bind no others; they vary like the circumstances on which they are founded.

5. Litigious contests present to the courts facts to appreciate, agreements to be construed, and points of law to be resolved. The judgment is the result of the full examination of all these..."

1.5 "**60 day**" responses:

• Because of the foreign state nature of the cause, it is in compliance with: **28 USC §1608**. Service; time to answer; default:

> **(d)** In any action brought in a court of the United States or of a State, a foreign state, a political subdivision thereof, or an agency or instrumentality of a foreign state shall serve an answer or other responsive pleading to the complaint **within sixty days** after service has been made under this section;

Note: • 28 USC §1608 clearly states that **60 days** are to be given for an answer to this foreign state Demand, rather than the usual 20 days for domestic causes:

• Yahvah's Kingdom is a de jure foreign state to the united States of America;

Therefore use "**60 days**" for responses;

**II Opinions, Orders**, and **Judgments Below:**

•5 Claimant's 11-1-1996 Affidavit of Publication: public newspaper notice of entry of Default / Default Judgment Establishing Foreign Jurisdiction by tacit acknowledgment of the President of U.S., State Secretary of State and Attorney General –USDC record page 177, 166

•**104 USDC** 2-6-2002 purported "MEMORANDUM AND ORDER" and "ORDER OF DISMISSAL" -USDC record page 338-332

•105 Claimant's 4-5-2002 timely Denial in its entirety for Causes of purported USDC 'MEMORANDUM AND ORDER' and 'ORDER OF DISMISSAL' –not yet responded to –USDC record pgs 453-426

•**106 USDC** 4-9, 6-27, 7-9, 10-19, 11-1-2002 purported series of "Striking Orders" –455, 470, 483, 583, 587

•107 Claimant's 4-11-2002 "non-statutory abatement", "public news notice: abandoned papers" –pgs495-494

•108 Claimant's 9-12-2002 "Judgment of Formal Acknowledgment" with public newspaper notice –USDC record pgs 571-563, 469-456, 485-484

**II Opinions, Orders**, and **Judgments Below** (Continued):

**•203 USCA5** 6-5-2003 "Unpublished Opinion"

•204 Claimant's 6-18-2002 timely "Appellant's Demand to Reconsider unpublished opinion denying USCA5 Unpublished Opinion for cause in its entirety" –not yet responded to

**•205 USCA5** 6-20-2003 letter saying the Exhibit 204 was received 1 day late

•206 Claimant's 6-25-2003 "Demand in Comity for leave to admit Appellant's Exhibit 204"

•207 Claimant's 6-25-2003 "Appellant's Demand in Comity in compliance to 28 USC §1608 (d) to enter Appellant's Exhibit 204" –ignored so far

**•208 USCA5** 6-27-2003 "Judgment"

**•209 USCA5** 7-3-2003 "Order denying Appellant's Demand for leave to admit Exhibit 204"

**•210 USCA5** 7-24-2003 letter saying it's over for them;

## III Jurisdiction

In comity from the foreign state of The Kingdom Of Yahvah in compliance with 28 USC § 1254;

This cause in comity is based on Scriptural Law brought in Special Visitation Only to assist a foreign color-of-law Court to resolve a long-term color-of-law State confusion amongst political leaders (Respondents) regarding the State's lack of venue and jurisdiction over Yahvah, His Creation, Ekklesia, People, and Things –among which is His said Land and His said Ambassadors;

Request is hereby made for this Court to take Judicial Notice of All paperwork filed in said cause;

**III.1 Concerning jurisdiction**, please see section UO.1.5-2.1 of Exhibit 204 Claimant's "Appellant's demand to Reconsider unpublished opinion dated 6-5-2003" copied herein for your convenience; This section was entered into the USCA5 record thru Exhibit 206 Claimant's "Appellant's Demand in Comity for leave to admit Appellant's Demand to Reconsider 6-5-2003 unpublished opinion":

• UO.1.5-2.1 Purported Unpublished Opinion lines state: "This court must examine the basis of its jurisdiction, sua sponte if necessary."

**Denied for cause:**

Court has jurisdiction to hear this cause-in-comity to "formally acknowledge" what political-leader Defendant-Appellees long-ago "tacitly acknowledged" as set forth in The Jurisdiction section on pages 3 - 29 of the original Demand for Jurisdictional Determination: USDC docket entry #1 and USDC record pgs #306-280:

1. per the principle of Yahvah's Kingdom Law in Matthew 8:6-10, 13; Luke 7:1-10 "A worthy roman military captain said to YahvahShua, " Master, my servant is lying in the house paralyzed, grievously tortured."; YahvahShua said "I shall come and heal him." The captain said, "Master, I am not worthy that You should come under my roof. But only say a word and my servant shall be healed. For I too am a man under authority having soldiers under me. And I say to this one, 'Go' and he goes, and the another 'Come' and he comes, and to my servant, "Do this' and he does it". YahvahShua marvelled and said, "Truly, not even in Israel have I found such great belief... "Go and as you believe, so let it be done for you." And his servant was healed that hour.";
2. per the request of those commercial corporate public servants asking Yahvah directly as well as those asking Yahvah thru His "Yahvah Kingdom People" Ekklesia to provide them "formal acknowledgment" that those over them will acknowledge their Yahvah-given responsibilities and their constitutional limitations before Yahvah and man, to deliver them and those over them from: • violating Yahvah's non-commercial non-color-of-Law, Ways, Statutes, Commandments, Judgments, and Testimonies of The 10th, 9th, and 8th Commandments in trying to usurp authority over Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land and Things and specifically over Yahvah's said Land and said Ambassadors,

by trying to apply non-applicable ex post facto color-of-law to Yahvah's said Ambassadors that were transformed to being in The Body Of The Messiah thru Yahvah's gift of Belief that YahvahShua is The Messiah, the Son of The Living Elohim and thru the formalization of YahvahShua's Immersion per Yahvah's Law in John 3:3 and John 3:5 on gc: 3-9-1997 thru the immersion in Yahvah's covenant names into the Kingdom of Yahvah in the San Jacinto River outside of Baytown, Texas, dedicating them for Yahvah's Kingdom & Righteousness per Matthew 6:33; And conditionally also from:

• violating the color-of-law concerning the appropriate two 1824 Spanish Land Grant treaties between Mexico and the 1st American settlers, which the subsequent republic of texas and the commercial corporate State of Texas and the commercial corporate United States has had no venue or jurisdiction over,

by trying to apply non-applicable ex post facto color-of-law to Yahvah's Land that was in the Lloyd family since 1824 until 1996 when it was formally given to Yahvah free-and-clear to further His Kingdom and His Righteousness; and

3. per Yahvah –The Creator and only One having Exclusive Dominion over all things ever created– as Claimant-Appellant bringing this cause-in-comity before the court per said Demand for Judicial Determination; With the Demand goes the authority –jurisdiction– to carry out the Demand; A tyrant requires and withholds authority to do what he commands. Yahvah is no tyrant; and
4. in accordance with principles of law that foreign-state "acknowledgment" is established by exchange of foreign correspondence;
5. in compliance with 28 USC Chapter 97–Jurisdictional Immunities of Foreign States:

**28 USC §1602. Findings and declaration of purpose**
The Congress finds that the determination by United States courts of the claims of foreign states to immunity from the jurisdiction of such courts would serve the interests of justice and would protect the rights of both foreign states and litigants in United States courts. Under international law, states are not immune from the jurisdiction of foreign courts insofar as their commercial activities are concerned, and their commercial property may be levied upon for the satisfaction of judgments rendered against them in connection with their commercial activities. Claims of foreign states to immunity should henceforth be decided by courts of the United States and of the States in conformity with the principles set forth in this chapter.

6. in accordance with color-of-law Federal Rules of Civil Procedure: Rule 9. Pleading Special Matters:

**Federal Rules of Civil Procedure – Rule 9 (e) Judgment**
In pleading a judgment or decision of a domestic or foreign court, judicial or quasi-judicial tribunal, or a board or officer, it is sufficient to aver the judgment or decision without setting forth matter showing jurisdiction to render it.

7. and conditionally in compliance with 28 USC Chapter 85–District Courts, Jurisdiction: 28 USC §1331 Federal Question as discussed in Count #2 presented in pages 14–17 of the original Demand for Jurisdictional Determination and in USDC record pages #295-292;

**28 USC § 1331. Federal question**
The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or **treaties of the United States.**

pertaining to two (2) international Spanish Land Grant treaties of which the united states of America in congress assembled has exclusive jurisdiction, and decisions based on treaty responsibilities supersede color-of-law constitution and statutes at large for the united States of America or any State constitution and statutes;

Based on any one of the above seven (7) reasons the court doesn't need to sua sponte its jurisdiction to hear the matter; The court has jurisdiction to formally acknowledge Yahvah's Exclusive Dominion over His Land and Ambassadors to assist State and Federal public servants from usurping authority they don't have; **Error Denied for said causes**;

**III.2 Concerning the extent of what this cause seeks to be reviewed**, please see section UO.2.3 of Exhibit 204 Claimant's "Appellant's demand to Reconsider unpublished opinion dated 6-5-2003" copied herein for your convenience:

• UO.2.3 Purported Unpublished Opinion line 3 states: "did not file a timely notice of appeal from the final judgment dismissing their action for lack of jurisdiction.";

**Denied for cause:** This statement indicates that USCA5 is unclear concerning the events that led up to Yahvah Claimant-Appellant filing the appeal; The events are:

**Gregorian day Events of 2002:**

1-10 Yahvah Claimant-Appellant filed **Exhibits 101-103**: "**Demand for Judicial Determination**" as USDC docket entry #1 with the basis of federal jurisdiction in the court of first instance in compliance with 28 USC §2201, "in Comity" in compliance with 28 USC §§1602-1611 foreign state immunity, and with conditional compliance with 28 USC §1331 federal question regarding two 1824 Spanish Land Grant treaties between Mexico and the united states of America;

1-29 All Defendants received Summons requiring timely response within 60 days in compliance with 28 USC §1608 (d);

## USDC Sua Sponte #1

2-6 USDC filed docket **Exhibit 104**: sua sponte #1 **'MEMORANDUM & ORDER'** and **'ORDER OF DISMISSAL'** as docket entry #12 and #13 without supporting evidence raising many issues not relevant to cause's **one-and-only issue**;

USDC **sua sponte #1** was not a final order nor has USDC yet issued a final order or judgment, nor was there any stipulation made to close the cause;

4-5 Yahvah Claimant-Appellant timely filed **Exhibit 105 "Denial for Causes (Errors) in entirety** concerning USDC sua sponte #1 –purported MEMORANDUM & ORDER and ORDER OF DISMISSAL" as USDC docket entry #16 with an Asseveration of Truth timely denying sua sponte #1 in its entirety for causes stated (errors) concerning each point raised in sua sponte #1;

USDC had 60 days to produce evidence denying or rebutting Yahvah's Claim and Denials for causes ;

**note**: A year and a half later USDC has yet to deny, rebut, or answer in any way Yahvah's averments, so USDC has accepted Yahvah's averments as truth in this matter per Scriptural Law regarding silence as summarized in **Deuteronomy 19:15-20** and **Matthew 18:15-20**, as well as presented in USDC cause file pages #291-289, "Count 3: "All Systems of Law and color-of-law concerning Timely Silence" on pages 18-20 of the original Demand, and also in color-of-law Rule 8 (d):

> **Federal Rules of Civil Procedure – Rule 8 (d)**
> **Effect of Failure to Deny**
> Averments in a pleading to which a responsive pleading is required, other than those as to the amount of damage, are admitted when not denied in the responsive pleading.

**USDC sua sponte #1 is Denied in entirety for Causes Original Demand for Judicial Determination stands as is**;

**non-defendant non-responsive responses**

2-12 non-defendant "HARRIS COUNTY APPRAISAL DISTRICT'S and REVIEW BOARD's filed a non-responsive response to Claimant's Demand as USDC docket entry #14;

This non-defendant of unlike kind also failed to produce any required evidence or even mention the cause-in-comity's **one-and-only issue**;

3-13 "CITY OF BAYTOWN" filed a very-similar-to-the-above-mentioned non-responsive response to Claimant's Demand as USDC docket entry #15;

This non-defendant of unlike kind also failed to produce any required evidence or even mention the cause-in-comity's **one-and-only issue**;

4-5 Yahvah timely filed "Denial in its entirety for
5-31 Cause (**Errors**) concerning "HARRIS COUNTY
7-3 APPRAISAL DISTRICT'S and REVIEW BOARD's and CITY OF BAYTOWN non-responsive responses in addition to timely sending them a copy of Exhibit 105 and specific point-for-point denial for causes (errors) as USDC docket entry 20, denying each point raised by each non-responsive response, leaving each non-defendant 60 days to produce evidence rebutting or denying Yahvah's Claim and Denials for causes;

**Note:** More than a year later each non-defendant has yet to deny, rebut, or answer in any way Yahvah's averments, so Yahvah's averments stand as accepted per Scriptural Law on silence as well as Court rule 8 (d);

**non-Defendant's non-responses are Denied in entirety Original Demand for Judicial Determination stands as is**;

**USDC Sua Sponte #2**

4-9 USDC filed **Exhibit 106**: a series of **sua sponte #2**
thru purported "Strikings" based on a non-related cause
11-1 **not** involving Yahvah and purporting to strike all of Yahvah's responses, among which is Yahvah's Denial for causes of sua sponte #1 in its entirety and Yahvah's Denial for causes of non-defendant's non-responses in their entirety, without any court, defendant, or anyone ever addressing any of the Truths long ordained and

established in the public record and presented in said Yahvah's denials for cause;

To the man on the street, does it sound like strange and bazaar for a federal court to be perjuring the public record, misrepresenting material facts, obstructing justice, denying due process of Law, ...? USDC has so far departed from the accepted and usual course of judicial proceedings as to call for an exercise of this Court's supervisory power;

3-4 Yahvah timely abated all USDC sua sponte #2 strikings by serving a non-statutory abatement upon USDC requiring the timely fixing of errors stated with all sua sponte #2 purported strikings; Otherwise USDC would be abandoning their sua sponte #2 purported strikings;

3-18 Upon USDC's timely silence in either fixing the errors pointed out in the non-statutory abatement and not responding at all, they abandoned their sua sponte #2; The promised default and default judgment were entered into the public record via process of service,

4-11 newspaper public notice, recording at county recording office, and filing the required non-statutory abatement parts I and II Proof of service in USDC record, establishing the abandoning of all purported USDC past, present, and future Striking Orders in the incident matter;

10-7 Yahvah filed **Exhibit 107** "Exhibit D2-p-news" Public Newspaper Notice of the entry of Default and Default Judgment abandoning all purported USDC Striking Orders regarding this matter into the public record as USDC docket entry #22; Yahvah also filed "Denial for causes in entirety of all USDC purported Striking Orders" on a point-for-point basis for each purported striking;

**Note:** More than a year later USDC has yet to deny, rebut, or answer in any way Yahvah's averments, so Yahvah's averments stand as accepted per Scriptural Law on silence as well as Court rule 8 (d);

**USDC sua sponte #2s are Denied in entirety for Cause Original Demand for Judicial Determination stands as is;**

**Order from Kingdom Of Yahvah in Comity:**

All Defendant-Appellees failed to produce any required evidence of any authority they have over Yahvah, His Kingdom, or His Things or even appear at all to the USDC Summons and are wholly in default;

9-12-2002 Yahvah's Kingdom Ekklesiastical common law Court issued a Kingdom Of Yahvah foreign Judgment per the terms of the Demand for Judicial Determination that would follow upon the default of all Defendants in not timely or otherwise producing any evidence on the cause-in-comity's one-and-only issue, or not even appearing to the USDC Summons requiring a response;
By formal default, each Defendant had upgraded their established-since-1996 "tacit acknowledgment" to a "**formal acknowledgment**" via Public newspaper Notice that the-kingdoms-of-this-world lack all authority --venue or jurisdiction– over Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, or Things and specifically over Yahvah's said Ambassadors and Yahvah's said Land;

Exhibit G-p-news: Yahvah entered default and default Judgment upgrading Defendants "tacit acknowledgment" to "Formal Acknowledgment"

10-7 Yahvah filed Notice of default and default judgment in comity as part of the last filing with USDC;
Yahvah again gave Demand for USDC to fulfill its part of the original Demand upon Defendant's default:

10-19 USDC responded with another pre-abated sua sponte #2 striking of Yahvah's final Demand;

10-31 The whole cause-in-comity was timely appealed to USCA5 because USDC had departed from the accepted and usual course of judicial proceedings as to call for an exercise of the higher courts power of supervision, particularly in light of each Defendant not yet appearing or responding in any way to the USDC Summons;
Yahvah timely appealed the whole cause with sua sponte 1 and 2 "non-final" orders to USCA5;
USDC was also headed in a direction to decide an important question of federal law via stealthy encroachment in a way that conflicts with applicable decisions of higher courts;

**IV Statutory Provisions conferring federal jurisdiction**

28 USC § 1254 Courts of appeals; certiorari
28 USC §§ 1602-1611 Foreign state Immunity
28 USC § 1631 Transfer to cure want of Jurisdiction
28 USC § 2201 Judicial Determination
Conditional 28 USC § 1331 Spanish Land Grants backed by 1848 "Treaty of Guadalupe Hidalgo" with Mexico –9 Statutes at Large 922

**V Statement of the Cause:**

1. Claimant Yahvah thru His Yahvah Kingdom People Ekklesia via His Y.K.P. Kingdom Corporation Sole Ambassadors filed a "**Demand in Comity**" per The Authority of Yahvah's Scriptural Law and also in compliance with 28 USC Chapter 151 –Declaratory Judgments §2201 –Creation of remedy: **Judicial Determination** to upgrade a 'Tacit acknowledgment' to a '**Formal Acknowledgment**' concerning State's Lack of Jurisdiction", See **Exhibits 101-103 "Demand for Judicial Determination"** –the original filing;

> Chapter 151 –**Declaratory Judgments**
> §2201 –Creation of remedy: **Judicial Determination**
> "(a) In a case of actual controversy within its jurisdiction, ... any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such."

2. The "in Comity" character of said Demand is also in compliance with Title 28 USC Chapter 97 **Jurisdictional Immunity of Foreign States** §§1602-1611:

> **28 USC §1602. Findings and declaration of purpose**
> This cite text is presented earlier in Section III of this brief;

3. The "conditional provision" is also in compliance with 28 USC Chapter 85 – District Courts; Jurisdiction § 1331. **Federal question**: international Spanish Land Grant Treaty between Mexico and the original settlers in the family since 1824 –that's 24 years before there was a

republic of texas; The united States of America committed itself to honor and uphold the Spanish Land Grant Treaties in the 1848 "Treaty of Guadalupe Hidalgo" with Mexico-9 Statutes at Large 922;

> **28 USC § 1331. Federal question**
> The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or **treaties of the United States.**

3.1 In compliance with Supreme Court Rule 14.1 (F) the pertinent text of the two (2) relevant Spanish Land Grants –Exhibits 2a and 2b of the original Demand– is set out verbatim with appropriate citation as are in the public record at the "General Land Office of the State of Texas" in "Box 4–Folder 24 and in Box 1–Folder 64",

**Exhibit 2a**. The original **Spanish Land Grant Treaty** between **Mexico** and **Reuben White** in 1824 contained in the public record with the county clerk at Harris county texas as S161047 at 510-39-pgs 1144 through 1152 since October 11th 1996: USDC record 221-214;

**Exhibit 2b**. The original **Spanish Land Grant Treaty** between **Mexico** and **Christian Smith** in 1824 contained in the public record with the county clerk at Harris county texas as S161006 at 510-39-pgs 0951 through 0959 since October 11th 1996: USDC record 213-206;

3.2 The most relevant text of the appropriate Spanish Land Grants state in Spanish and translated to English:

> "in the name of the Government of the Mexican Nation do by these presents grant and concede unto said Reuben White, his heirs and successors", and
>
> "put him in possession of said tract, with **all** its uses, customs, rights and appurtenances, for him, his heirs, and successors", and "deliver to him the corresponding title for his security";

3.3 Said Spanish Land Grant Treaty is the highest color-of-law paramount title known to man and carries with it the free right of possession, not holden of any lord or superior –other than the Land's Creator Yahvah and His Sovereign YahvahShua The Messiah– without obligation to vassalage, fealty, penalty, burden, tax, or duty;

3.4 In the 1848 "**Treaty of Guadalupe Hidalgo**" with Mexico (9 Statutes at Large 922) the republic of the united States of America committed itself to honor and uphold the Spanish Land Grant Treaties;

3.5 The most relevant text of said "Treaty of Guadalupe Hidalgo" –formally entitled as "Treaty of Peace, Friendship, Limits, and Settlement with The Republic of Mexico", **9 Statutes at Large 922 at page 941**– states:

> "And it is declared that: neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the state of war is precisely that for which it is provided; and during which, its stipulations are to be as sacredly observed as the most acknowledged obligations under the law of nature or nations."

3.6 Said Treaty is in full force and effect this day and is beyond the corporate United States or any subsidiary State color-of-law infringement;

3.7 Besides, the year eighteen twenty-four (1824) is twenty four (24) years before there was a republic of texas, and about fifty (50) years before there was a corporate State of Texas, or any purported and unLawful claims against Those Trusting Yahvah to the point of obedience to Yahvah's Eternal Covenant Law, Ways, Statutes, Commandments, Judgments, and Testimonies;

3.8 Hence even the highest color-of-law paramount title known to man is without standing concerning Yahvah's said Ambassadors and Yahvah's said Land that is stewarded by Yahvah's Kingdom People Ekklesia;

Much less are purported State color-of-law claims that are: • contrary to Yahvah's Eternal Law that is applicable to His said Ambassadors and His said Land and is foreign to color-of-law; and also • contrary to higher color-of-law Treaty and Spanish Land Grants;

4. Said Demand would be satisfied and closed upon a commercial corporate judge's signature on the up-front supplied "Judicial Determination Order" clarifying that the commercial corporate United States

and its subsidiary States lack all venue and jurisdiction over Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, and Things, and specifically over Yahvah's said Ambassadors and said Land;

5. The remainder of part V "Statement of the Cause" is broken into the following 3 parts:

V.1 Concerning **U. S. Federal District Court**, Houston

V.2 Concerning **U. S. Court of Appeals –5th Circuit**, New Orleans

V.3 Concerning **Supreme Court of the United States**, Washington, D.C.:

**V.1 Concerning U. S. Federal District Court:**

1. Yahvah's Demand was filed at the United States District Court, Southern District of Texas, Houston Division –"USDC"– as a Civil Action in Comity # 02-CV-87 on gregorian calendar, "gc": 1-10-2002 –see **Exhibit 102 "Claimant's Demand for Judicial Determination in Comity"** as USDC Cause # 02-CV-87, USDC record pgs 313-1;
2. Said Demand required the Respondents:
   Henry Cueliar –Texas Secretary of State
   Rick Perry –Texas Governor
   Clarence James –Harris County Appraisal Review Board
   Jim Robinson –Harris County Appraisal District
   Pete Alfaro –Baytown Mayor
   Don Hendrix –Crosby ISD
   Barbara Sultis –Goose Creek ISD Superintendent
   representing all persons-public servants-entities purportedly claiming any interest in Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, Things, and specifically in Yahvah's said Ambassadors and said Land to produce any established evidence that they have any basis for any claim against Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, and Things, and specifically over Yahvah's said Ambassadors and said Land;
3. **No Defendant appeared, answered, or responded** at all to USDC Summons, thereby "formally acknowledging" their "tacit acknowledgment" of more than 6 years;

4. Upon the default of all defendants, rather than finding in Claimant's favor by signing the right up-front **Exhibit 103 "Judicial Determination Order"**, USDC record page 315, and closing the cause as required by the Demand, in bad faith USDC erred by: •not ruling in Claimant's favor in an uncontested cause •perjuring the long-established well-pleaded ordained, established, and tacitly acknowledged public record •not hearing the cause on its merits •ruling in favor of the non-appearing defendants by •issuing **Exhibit 104 "sua sponte #1"** in the form of a purported "MEMORANDUM & ORDER" and "ORDER OF DISMISSAL", USDC record 338-332;
5. Sua sponte #1 did •not even mention said Demand's one-and-only required thing for the Defendants to produce, •nor did it mention any of the clearly-presented 5 counts upon which Claimant's Claim is based;
6. What sua sponte #1 did address were a series of non-relevant moot points –supposed issues not raised in the Demand and not supported by any required evidence;
7. Even so, Claimant timely filed a point-by-point denial for causes with supporting evidence denying USDC's sua sponte #1 in its entirety –see **Exhibit 105 "Claimant's Denial for Cause of Purported 'MEMORANDUM AND ORDER' and 'ORDER OF DISMISSAL'"**, USDC record pgs 453-426;
8. The Federal District Court did not produce any required ordained and established proof of evidence that is contrary to Claimant Yahvah's Claim;
9. Upon timely silence by USDC concerning sua sponte #1, Claimant's Claim and issues presented in the Demand for Judicial Determination in Comity stand as originally pleaded –with the additional evidence concerning Claimant's Claim and Demand that there is:
    - no Defendant opposing and
    - no contrary evidence in the public record anywhere and specifically in the USDC Civil Action in Comity # 02-CV-87; A(w)men;
10. USDC never denied, rebutted, nor responded to any of the denials or the causes of denial, and tried to cover up their responsibility to hear the matter on its merits and sign the "Judicial Determination Order" that was due

upon the Defendant's failure to timely produce required evidence to the Court;

11. Upon failing to timely produce the required evidence, rather than sign the up-front "Judicial Determination Order" per the Demand, USDC next attempted to misapply a fraudulent judgment on non-related cause and issued a series of sua sponte **#2** "strikings" to thwart the hearing of the incident matter on its merits and deny redress of grievances; Such an attempt is obstruction of justice and abuse of the office of the judge;
12. The first sua sponte #2 purported "striking" was issued against Claimant's timely filed denial in its entirety for causes of **Exhibit 104** on a point-for-point basis; Thereby attempting to not address Claimant's Claim, Demand, or causes of denial –see **Exhibit 106 "Striking Orders"**, USDC record 455;
13. It was also stipulated that Yahvah file any other papers by sending them to "the vexatious litigation department" to be screened by Judge Hoyt;

    Judge Hoyt further abused the office of judge by purporting to strike everything submitted to him;
14. He even attempted to strike the "Notice of Appeal to the USCA5" after his abandonment of all of his "strikings" was established in the public record;
15. After additional attempted USDC sua sponte #2 "strikings" –see **Exhibit 106 "Striking Orders"**, USDC record pgs 470, 483, 583, 587, **Exhibit 107 "non-statutory abatement"**, USDC record pgs 519-494– was issued regarding all such purported "strikings", eventually resulting in USDC abandoned all of their purported "strikings" as of gc: 3-17-2002, and a newspaper public notice of gc: 4-11-2002 entered the notice of abandonment –see **Exhibit 107 "public newspaper notice: abandoned papers"**, USDC record pgs 495-494;
16. None-the-less, the "striking" diversions did not relieve USDC of its duty to hear the original Demand on its merits in the way it was pleaded and find in non-contested Claimant's favor;
17. Claimant's Claim and issues presented in the Demand stand as originally pleaded with even more additional supporting evidence;

18. Therefore, The Kingdom Of Yahvah Ekklesiastical common law Court entered all Defendant's Defaults and Default Judgments –see **Exhibit 108 "Judgment of Formal Acknowledgment** '", USDC record pgs 571-563, 469-456, and thru Comity entered into the USDC cause record and a public newspaper notice of gc: 9-12-2002 was made to that effect; See **Exhibit 108 "public newspaper notice of Formal Acknowledgment"**, USDC record pgs 485-484, and this Judgment stands based upon Truth ordained by Yahvah, established in the public record, and acknowledged by all persons thru their political representatives and all people as well; res judicata (it is finished);
19. But state public servants requested that Yahvah get a commercial judge to sign a formal acknowledgment that the State lacks venue and jurisdiction over Yahvah and His said Kingdom Ambassadors and said Kingdom Land;
20. They requested a commercial judge's signature to give that signature to their authority, so they can do what is right in their conscience before Yahvah in not executing the curse of **1 Samuel 8:7-20** –military, taxes, land confiscation, slavery– upon Those Who obey Yahvah and have not given allegiance to any King other than YahvahShua The Messiah;
21. Giving such allegiance to any other elohim (god) violates the only Creator-of-all-things and His "Eternal Covenant Law" best summarized by the writing of The Finger Of Yahvah Himself –**Exodus 31:18**, **Deuteronomy 10:1**, **2**, **4**– The 10 Mandates –**Exodus 20:1-17, Deuteronomy 5:6-21**– commonly called "**The 10 Commandments**"– for all to obey;
22. It bothers some public servants to hassle Yahvah's Kingdom People that are obeying Yahvah's 10 Mandates and have come out of the kingdoms-of-this-world in their heart and in their lives –**Revelation 18:4**, **2 Corinthians 6:17**– lest they participate in the sin of the corrupted world and receive the associated plagues that we see all around the world;
23. Color-of-law is given by Yahvah to punish those violating Yahvah's Eternal Covenant Law, but does not apply to those obeying Yahvah's Law;

24. **Romans 13** –in the context of all Scripture– presents Yahvah's purpose for color-or-law; It is to punish those disobeying Yahvah's Law and to praise those obeying Yahvah's Law –not hassle them;
25. Therefore to get the requested commercial judges signature on **Exhibit 103 "Judicial Determination Order"** or its equivalent, an appeal up was made:

**V.2 Concerning U. S. Court of Appeals –5th Circuit:**

1. The Federal District Court departed from accepted and usual course of judicial proceedings as to call for an exercise of a higher court's supervisory power;
2. As a result, said Demand was appealed to the U.S. Court of Appeals -5th Circuit –"USCA5"– as a Civil Action in Comity # 02-21226 on gc: 11-13-2002 –see **Exhibit 201 "Appellant's Brief"** of USCA5 record;
3. **Again no Defendant-Appellee appeared, answered, or responded** at all to the appeal process, thereby giving yet another witness of upgrade from Appellee's "tacit acknowledgment" 6+ years earlier to their "formal acknowledgment";
4. Upon the default of all defendants, rather than finding in Claimant-Appellant's favor by signing the right-up-front **"Judicial Determination Order"** and closing the cause, the USCA5 did their own bad-faith sua sponte #3 in attempting to add a fictional defendant –the CITY OF BAYTOWN– that is a fiction and not of-like-kind to the other Appellee-Defendants;
5. Such attempt was denied for cause, but through no fault of the Claimant-Appellant and by the failure of the United States Post Office "USPO" overnight guaranteed delivery, USCA5 denied entering said denial into the record;
6. USCA5 erred and acted in bad faith by •not ruling in Claimant-Appellant's favor in an uncontested cause •perjuring the long-established well-pleaded ordained, established, and acknowledged public record •then –without a hearing– •ruling in favor of the non-appearing defendants by •issuing an unpublished opinion –**Exhibit 203 "Unpublished Opinion"** of USCA5 record that glossed over a few moot points –supposed issues not

raised in the Demand and not supported by any evidence– and •not mentioning Demand's one-and-only required thing for Defendants to produce and •not mentioning any of the clearly-presented 5 counts upon which Claimant-Appellant's Claim is based;

7. Claimant-Appellant timely **sent** point-by-point denial for cause with evidence denying in its entirety the Court's unpublished opinion –see **Exhibit 204 "Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"**–appended hereto;
8. However the United Stated Post Office's guaranteed overnight delivery failed to deliver the next day, but rather delivered it about 7:46 a.m. the following day;
9. USCA5 promptly issued **Exhibit 205 "letter saying Exhibit 204 was received 1 day late "**;
10. Investigation revealed that Claimant-Appellant did everything right in timely sending the denial for cause in its entirety, and the USPO has written a letter to that effect and accepted full responsibility for the delay;
11. Upon USCA5's suggestion, Claimant-Appellant submitted **Exhibit 206 "Appellant's Demand in Comity for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"** –appended hereto, with 3 witnesses of proof of evidence of USPO's full responsibility for USCA5 receiving Claimant-Appellant's denial for cause in its entirety "one day late" —only if the "in Comity" nature of Claimant-Appellant's Demand in compliance with 28 USC §1608(d) is ignored";
12. USCA5 subsequently denied Claimant-Appellant's Demand for USCA5 to take leave to file –see **Exhibit 209 "Order denying Appellant's Demand in Comity (Request) for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"**;
13. Claimant-Appellant submitted **Exhibit 207 "Appellant's Demand in Comity in compliance to 28 USC §1608 (d) to enter 'Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003'"** –appended hereto for USCA5 to not ignore the 60-day rule in compliance with 28 USC 1608(d);

14. But USCA5 erred in ignoring that Demand too, thereby obstructing justice by suppressing evidence timely sent and purporting to dismiss the appeal, remanding cause to the USDC and sending the record back to USDC;
15. Later, upon getting final certified copies of the USCA5 record for appeal to the USSC, it was revealed to Claimant-Appellant that USCA5 had also erred in not having a demanded hearing prior to their issuing a purported "Judgment" in favor of the non-appearing Defendants at the same time they issued their "unpublished opinion", such timing would not give Claimant-Appellant any time to respond to it at all, and that without a hearing!;
16. USCA5 has ignored Claimant-Appellant's Denial for cause with supporting evidence, and never denied, rebutted, nor responded to any of the denials or causes, and tried to cover up their responsibility to hear the matter on its merits and sign the "Judicial Determination Order" that was due upon the Defendant's failure to timely produce the required evidence to the Court;
17. USCA5 did not produce any required ordained and established proof of evidence that is contrary to Claimant-Appellant Yahvah's Claim or Demand;
18. Upon USCA5's timely silence in not addressing Claimant-Appellant's Claim and issues presented in the Demand for Judicial Determination in Comity, Claimant-Appellant's Demand stands as originally pleaded –with the additional evidence concerning Claimant-Appellant's Claim and Demand that there is:
    - no Defendant opposing and
    - no contrary evidence in the public record anywhere and specifically within the USDC # 02-CV-87 cause file or within the USCA5 Appeal # 02-21226 appeal file; A(w)men;
19. Even so, the appeal to the USCA5 did not accomplish the objective of obtaining a commercial judge's signature to assist state public servants in not being at enmity with their conscience and Yahvah in hassling Yahvah, His said Ambassadors, and His said Land;

20. So on to the "Supreme Court of the United States" or to the Article III "one supreme Court" to have the cause heard on its merits to obtain a signature in the attached **Exhibit 303 "Judicial Determination Order"**, or equivalent and close the cause, thanking those who assist to bring this about with the Favor of The Creator of all –Yahvah Elohim;

**V.3 Concerning Supreme Court of the United States:**

1. Note: Even though a few words used within the prior pages are sharp, they are intended to describe the nature of the lower courts departures from accepted and usual course of judicial proceedings that call for an exercise of a higher court's supervision power;
2. Keep in mind that we are Ambassadors for The Messiah; As Yahvah sent YahvahShua to save –not condemn– the lost –**Luke 19:10**, so YahvahShua The Messiah sends Us –**John 17:18**: We, as Ambassadors for The Messiah, don't condemn, but speak Yahvah's Word of Reconciliation: Be restored to favor with Yahvah –**2 Corinthians 5:20**; Do right in His sight;
3. Questions:
   ?1 What court or Court does the Supreme Court of the United States consider appropriate to hear Yahvah's Demand on its merits for a commercial judge to sign an "Order of Judicial Determination" in Comity?:
   - the "Supreme Court of the United States"?,
   - the Article III "one supreme Court"?, or
   - some other court?

   ?1 is discussed in the Conclusion section of this petition; ?2 is discussed in the Jurisdiction and Statutory sections of this petition; ?3 is discussed throughout this petition;
4. If the "Supreme Court of the United States" can hear Yahvah's Petition –Demand in Comity– for a Judicial Determination, then herein is Claimant's Petition for that Court' to grant a hearing on the merits of the Demand;
5. Upon such grant, Yahvah thru His Ekklesia via His Kingdom Corporation Stole Ambassadors will prepare a brief on the merits in 60 days in compliance with 28 USC §1608(d);

Thank you for your consideration in this matter;

## VI Concerning "Question 1"

1. The state public servants requesting Claimant, Appellant, Demandant-in-Comity to get a commercial judge to sign an "Order of Formal Acknowledgment" are still waiting;
2. So far Claimant's Claim and original Demand for Judicial Determination stands "as is" with no Defendant timely appearing, denying, rebutting, or answering in any way;
3. Even each moot point raised in the sui spontes at both the USDC and the USCA5 –and not by any Defendant-Appellee– has been denied for cause with proof of supporting evidence in the cause records, and no court has timely or otherwise denied, rebutted, or responded to any of the many Claimant-Appellant's denials for cause concerning every moot point raised by USDC or USCA5;
4. No Defendant and no court is left with any denial, rebuttal, or response concerning anything contrary to Claimant-Appellant's Claim and Demand for Judicial Determination; nor with any standing to deny due process of the Applicable Scriptural Law in this matter;
5. Therefore per Scriptural Law on "Silence" –See **Claimant's 'Count 3'** of original Demand for Judicial Determination **on 'Silence'**", USDC record pgs 291-289, as well as common law maxims and color-of-law Rule 8(d) on "Silence",
6. Claimant's Claim stands as Truth in Law and at law with the added evidence that both USDC and USCA5 records contain no required evidence that any Defendant ever served Claimant-Appellant with any proof of demanded authority they have over Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, or Things and specifically over Yahvah's said Ambassadors and said Land; res judicata; Defendant's "tacit acknowledgment" has been updated to a "formal acknowledgment"; Praise Yahvah;
7. All that is still left is for a commercial judge to do is to sign the up-front provided "Order of Formal Acknowledgment" or its equivalent, have an original of the signed Order sent to Claimant, and close the cause;

8. Isn't the Court's duty to be an impartial judge and consider what both sides have brought to the hearing? –rather than be the only one acting as a defendant?;
9. So far, only one side is coming to the hearing in comity;
10. The only timely message from any Defendant has been "total silence" and "no appearance", both at the USDC and the USCA5; By 2 or 3 witnesses every matter is established –**Deuteronomy 19:15** and **Matthew 18:16**;
11. Through silence each Defendant has affirmed the averments made in Claimant's Claim and Demand for Judicial Determination as Truth in Law and at law, which is simply "Affirming Formal Acknowledgment";

## VII Reasons for Granting the Writ

1. As is evidenced by that presented in the "Statement of the Cause" and the "Conclusion" sections of this brief, the USDC and the USCA5 has so far departed from the accepted and usual course of judicial proceedings, and sanctioned such a departure by the Courts, as to call for an exercise of this Court's supervisory power;
2. By not hearing the Demand based on its merits lets the minds of state public servants hang in confusion concerning what they should do about Yahvah's Claim and Demand for Judicial Determination and betrays those looking to the United States Supreme Court for clarification, causes doubt, and contributes to ignoring:
   - The Sovereignty of The Creator of all leading to further lawlessness and corruption –the broad road that leads to destruction–, rather than stepping up to the duties that Our Creator has assigned to the Judiciary in purging the encroachment of lawlessness from Yahvah's Land; and
   - The immunities of non-commercial foreign states; and
   - International treaties that take precedence over even the constitutions; and
   - Their Oaths of Office taken before Yahvah Elohim;
3. USDC and USCA5 have ignored making a decision on important questions of federal law that conflicts with relevant decisions of the United States Supreme Court regarding the above 4 ignorings, ...;

4. Therefore, for that which is right before Our Creator, any of the alternatives summarized in the next section to obtain a commercial judges signature on an Order of Judicial Determination in this matter is to be taken;

## VIII Conclusion

Based upon review of the proceedings to date and the evidence in and missing from the cause record:

**Alternative #1**: That which is right before The Creator of all is for the Supreme Court of the United States to sign the appended **Exhibit 303 "Order of Judicial Determination"** or its equivalent;

This paragraph is Yahvah's authorization thru His Ekklesia via His Kingdom Corporation Sole Ambassadors to do so;

Upon signing the attached order or its equivalent, send the signed Order to Claimant and close the cause;

We praise Yahvah and Thank Him on each one's account that is involved in doing so; We know Yahvah will bless this Alternative #1 by furthering the favorable relations between the foreign nations involved;

Otherwise Claimant, Appellant, Demandant-in-Comity and the State public servants requesting resolution in this matter wait for the Defendants to appear and address Claimant's Demand in Comity, and have the cause heard on its merits, resulting in an Order of Judicial Determination in Comity signed by a commercial judge;

**Alternative #11**: If USSC deems it more appropriate for the **Article III one supreme Court** to hear the cause on its merits, then Yahvah thru His Ekklesia and His Kingdom Corporation Sole Ambassadors will provide a brief in comity on the merits within 60 days, upon notice to do so;

**Alternative #12**: If **USSC** deems it more appropriate for them to hear Yahvah's Petition –Demand in Comity– for a Judicial Determination, then herein is Claimant-Appellant's Petition –Demand in Comity– for that Court's granting a hearing on the merits, then Yahvah thru His Ekklesia and His Ambassadors will provide a brief in comity on the merits within 60 days, upon notice to do so;

**Alternative #13**: If the Supreme Court of the United States, prefers an "**ex parte**" hearing on the merits of the cause, that is also amiable to Yahvah thru His Ekklesia and His Kingdom Corporation Sole Ambassadors;

**Alternative #14**: If the USSC deems it more appropriate for **another court** to hear the Demand in Comity, let us know what court would hear the matter on its merits in compliance with Title 28 USC Chapter 99 –General Provisions §1631. Transfer to cure want of jurisdiction;

Title 28 Federal Civil Judicial Procedure and Rules
Chapter 99 –General Provisions
§1631. **Transfer to cure want of jurisdiction**

Whenever a civil action is filed in a court as defined in section 610 of this title or an appeal, including a petition for review of administrative action, is noticed for or filed with such a court and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court in which the action shall proceed as if it had been filed in or noticed for the court to which it is transferred on the date upon which it was actually filed in or noticed for the court from which it is transferred.

Which Alternative USSC deems most appropriate, Claimant will do what is necessary to obtain what is right-before-The Creator of all in answering the state public servants asking Claimant to get a commercial judge's signature on a formal acknowledgment;

We earnestly pray your answer will consider carefully Who and all that Claimant-Appellant is: Yahvah Elohim, and that your answer will be such that Yahvah's Face will be pleased to bless all involved and His said Land;

Thank you for your careful consideration in this matter; We look forward to your response;

Signed, per The Authority of YahvahShua (Matthew 28:18) with The Zeal of Yahvah of Hosts (Isaiah 9:7) and by Direction of YahvahRuach's Anointing On The Messiah (Romans 8:4), this ninth day of eighth Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 11-4-2003)

Yahvah YahvahShua YahvahRuach thru His "Yahweh Kingdom People" Ekklesia via His "Y.K.P." Kingdom Corporation Sole Registered Agent Ambassador Claude Hugh Lloyd the Second Of Yahvah YahvahShua YahvahRuach and Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach

By Yahvah YahvahShua YahvahRuach

Yahvah YahvahShua YahvahRuach thru His "Yahweh Kingdom People" Ekklesia via His "Y.K.P." Kingdom Corporation Sole Registered Agent Ambassador Claude Hugh Lloyd the Second Of Yahvah YahvahShua YahvahRuach and Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach, visiting 3602 Savell Drive, Baytown, Texas (77520,) Kingdom Of Yahvah (281-837-6747 and Fax)

Civil Action in Comity No.

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from the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law: Yahvah's Kingdom ecclesiastical common law Court per Matthew 18:15-20

At all times by special visitation only without consent to any venue or jurisdiction not acknowledging Yahvah's Kingdom

in the **Supreme Court of the United States**

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Yahvah in and thru "Yahvah's Kingdom People" Ekklesia via "YKP" Kingdom corporation sole Ambassador Claude Hugh Lloyd the Second &Ambassador Cassondra Jean Lloyd
Claimant, Appellant, Demandant-in-Comity, Petitioner

vs.

Henry Cueliar –Texas Secretary of State
Rick Perry –Texas Governor
Clarence James –Harris County Appraisal Review Board
Jim Robinson –Harris County Appraisal District
Pete Alfaro –Baytown Mayor
Don Hendrix –Crosby ISD
Barbara Sultis –Goose Creek ISD Superintendent
Respondents

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**On Petition for Writ of Certiorari**
to the **United States Court of Appeals**
for the **Fifth Circuit** Civil Action in Comity 02-21226
and to the United States District Court, Southern District of Texas, Houston Division Civil Action in Comity 02-CV-87

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**Appendix** for Petition for Writ of Certiorari

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by Claimant-Appellant Yahvah in and thru Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Ambassadors visiting 3602 Savell Drive Baytown, Texas (77520), Kingdom Of Yahvah, foreign Venue and Jurisdiction –telephone: (281) 837-6747

**List of Exhibits in Appendix** for Certiorari for Yahvah vs. Cueliar, et al

| Exhibit # | Description | **USDC** Cause # 02-CV-87 record page #s | date |
|---|---|---|---|
| 5 | News Notice: Default Judgment entry of Foreign Jurisdiction | 177, 166 | 11-1-**1996** |
| 102 | Claimant's Demand: Judicial Determination at USDC (ref only) | 313-1 | 1-10--**2002** |
| 103 | Claimant's "Judicial Determination Order" judge to sign (ref only) | 315 | 1-10 |
| **104** | **USDC** "MEMO & ORDER", "DISMISSAL ORDER" | 338-332 | 2-6 |
| 105 | Claimant's Denial for Cause of Exhibit 104 (ref only) | 453-426 | 4-5 |
| **106** | **USDC** series of "Striking Orders" | 455, 470, 483, 583, 587 | 4-9—11-1 |
| 107 | Claimant's Denial for Cause, Exhibit 106 abandoned | 558-547, 495-494 | 4-11 |
| 108 | Claimant's Judgment: Formal Acknowledgment | 571-563, 485-484 | 9-12, 10-7 |

| | **USCA5** 02-21226 record **all appended** | # of pages | |
|---|---|---|---|
| 201 | Claimant's "Appellant's Brief" | 24 | 2-3-**2003** |
| **203** | **USCA5** "6-5-2003 Unpublished Opinion" | 2 | 6-5 |
| 204 | Claimant's Demand to Reconsider 6-5-03 unpublished opinion | 23 | 6-18 |
| **205** | **USCA5** letter saying Exhibit 204 was received 1 day late (contested) | 1 | 6-20 |
| 206 | Claimant's Demand in Comity for leave to admit Exhibit 204 | 7 | 6-25 |
| 207 | Claimant's Demand per 28 USC §1608 (d) to enter Exhibit 204 | 4 | 6-25 |
| **208** | **USCA5** "Judgment dated 6-27-2003" | 1 | 6-27 |
| **209** | **USCA5** "Order" denying Demand to enter Exhibit 206 | 1 | 7-3 |
| **210** | **USCA5** letter saying their part is over | 1 | 7-24 |

| | **USSC** record **appended** | | |
|---|---|---|---|
| 303 | Claimant's "Judicial Determination Order" for judge to sign | 2 | |

**xxx** minimum required by Rule 14.1 others Exhibits are for understanding the Appeal

**Public Notice –Jurisdictional change:**

We, Claude Hugh Lloyd the Second and Cassondra Jean Lloyd declare: our expatriation from the de facto corporate governments of the New World Order, United Nations, United States, any state, county, local, or other kingdom of this world. Our change of jurisdiction from purported United States citizen residing in the State of Texas or any other state to that of the de jure fellow-citizen of the Saints of the household of Yahweh living in The Kingdom of Yahvah. As the lawful assigns to a paid-off portions of 2 original Spanish Land Grant Treaty Contracts between Mexico and Ruben White and Christian Smith in 1824, we have lawfully brought up our portion of said Treaty Contracts to Paramount Title in our name and have redeemed said land to The Kingdom of Yahweh. The said portions of land are in four parts: In general three parts located at East of the San Jacinto River and South of US 10 and one part located West of Highway 146 and East of Racoon Road. Details of the above jurisdiction changes are recorded in Harris County records office as #S161047 & #S161006. All parties have 3 days to respond in writing with a point-by-point lawful rebuttal with supporting evidence served via regular US mail to: Yahweh Kingdom People, c/o 3602 Savell, Baytown, Texas Republic, Kingdom of Yahweh. If after 3 days no lawful rebuttal is served, herein declaration that "No One but Yahweh Almighty has jurisdiction over us and His said redeemed land" stands as truth in Law and at law henceforth. Res judicata will apply;

Attached is the Publisher's Affidavit of The Baytown Sun Publisher Mr. Dobbs at Harris County, Texas as published on 10-15, 16, 17th of 1996 and witnessed by a notary public;

Filed with USDC on 1-10-2002 as cause #H-02-0087 docket entry #1 "Claimant's Demand for Judicial Determination", Exhibit "4a";

The USDC record page number placed on this document for use in the appeal to USCA-5th Circuit is "177";

**Public Notice**
**–Default Judgment Establishing Foreign Jurisdiction:**

"A default judgment was entered on the 21st day of October, 1996 because no adverse claimant responded to Yahweh Kingdom People, c/o Claude Hugh Lloyd the Second and Cassondra Jean Lloyd, c/o 3602 Savell, Baytown, Texas republic, Kingdom of Yahweh, concerning the Harris county recording number S161047 and S161006, Declaration of Paramount Title, and jurisdictional charge. Therefore the promised default and resulting default judgment was issued and entered into the public record which states

> "No One but Yahweh Almighty has jurisdiction over us and His said redeemed land" is now and henceforth truth in Law and at law."

Res judicata (it is finished).

Attached is the Publisher's Affidavit of The Baytown Sun agent Reena Gonzalez at Harris County, Texas as published on 11-1–1996 and witnessed by a notary public;

Filed with USDC on 1-10-2002 as cause #H-02-0087 docket entry #1 "Public Notice of Default Judgment", Exhibit "5";

The USDC record page number placed on this document for use in the appeal to USCA-5th Circuit is "166";

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Yahvah in and through Yahvah's Kingdom, People via Ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd,

Plaintiffs,

Civil Action No. H-02-0087

VS

Henry Cueliar, Texas Secretary of State; et al

Defendants.

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MEMORANDUM AND ORDER

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Plaintiffs bring this declaratory judgment action, seeking a declaration that their land and individual persons are not within the jurisdiction of state and federal taxing authorities.[1] Plaintiffs assert that "Yahweh's Kingdom, Yahweh's Lands, Yahweh's People, Yahweh's Ambassadors, Yahweh's Kingdom People foreign state (religious) Assembly, YKP Kingdom Corporate Sole, Yahweh's said Land, and Yahweh's said Ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd" are "outside of the commercial corporate STATE OF TEXAS and are outside of the commercial corporate UNITED STATES." In other litigation, plaintiff Claude Lloyd testified that he was an ambassador for Christ, giving him

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[1] Plaintiffs named Henry Cuellar as a defendant, in his capacity as Texas Secretary of State. In January 2002, Gwyn Shea became Texas Secretary of State

special diplomatic rights and immunities, including exemption from taxation. See Lloyd v. Nixon, No. 98-1281 (S.D. Tex. Sept. 30, 1998) (unreported order);

"Whenever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action." FED. R. CIV. P. 12(h)(3). A court must dismiss an action, sua sponte, if it lacks subject matter jurisdiction. See Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999); Giles v NYLCare Health Plans, Inc. 172 F. 3d 332, 336 (5th Cir. 1999); Trizec Props., Inc v. U.S Mineral Prods. Co 974 F.2d 602, 604 (5th Cir. 1992).

Plaintiffs do not identify the statute under which they bring this action, but state that they seek a declaratory judgment of exemption from taxation based on alleged ambassadorial status. Both the Declaratory Judgment Act, 28 U.S.C. §2201, and the Anti-Injunction Act, 26 U.S.C. §7241(a), prohibit federal courts from entertaining proceedings for declaratory relief in cases involving federal taxes. Rhodes v. Fleming, 1996 WL 772684, *2 (E.D.La. Dec. 3, 1996)(citing Warren v. U.S, 974 F.2d 280, 282 (5th Cir. 1989)); see also White v. U.S. Government Dept. of Treasury, 969 F. Supp. 321 (E.D. Pa 1997)(finding court lacked jurisdiction to grant declaratory relief as to plaintiffs' satisfaction of tax liability); The Declaratory Judgment Act provides that "[i]n a case of actual controversy within its jurisdiction, except with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986, ... any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration ..." 28 U.S.C. §2201 (emphasis added).[2] Similarly, the Anti-Injunction Act provides that, with certain

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2 To the extent that plaintiffs could argue that their claims are within section 7428, that provision requires exhaustion of administrative remedies, which plaintiffs have neither alleged nor shown. 26 U.S.C. §7428(b)(2). Section 7428 confers jurisdiction only on the United States Tax Court, the United States Court of Federal Claims, and the United States District Court for the District of Columbia. 26 U.S.C. §7428(a)(2).

exceptions not relevant to this lawsuit, "no suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court by any person ..." 26 U.S.C. §7421(a);

This court is without subject matter jurisdiction to consider plaintiffs' request for a declaratory relief as to federal tax liability. That claim is dismissed.

Plaintiffs also request declaratory relief that they are exempt from state taxes. However, under Texas law, "[t]he administrative remedies available under the tax code are exclusive and must be exhausted before a taxpayer may file suit." City of Fort Worth v. Pastusek Indus., Inc., 48 S.W.3d 366, 370 (Tex.App. –Fort Worth 2001)(citing Tex.Tax Code Ann. §42.09(a)(2)(Vernon Supp. 2001)). The Texas Tax Code provides that:

(a) Except as provided by Subsection (b) of this section, procedures prescribed by this title for adjudication of the grounds of protest authorized by this title are exclusive, and a property owner may not raise any of those grounds: ...

(2) as a basis of a claim for relief in a suit by the property owner to arrest or prevent the tax collection process or to obtain a refund of taxes paid.

Tex. Tax Code Ann. § 42.09(a)(2)(Vernon Supp. 2001).

Plaintiffs have not alleged or pleaded facts showing that they exhausted the administrative remedies provided in the state tax code before filing the present suit for declaratory relief. Accordingly, this court is without jurisdiction to consider plaintiffs' request for declaratory relief as to their state tax liability. See Pastusek Indus., 48 S.W.3d at 370. This court dismisses plaintiffs' claim as to state tax liability.

In addition to the defects as to subject matter jurisdiction, this court also finds that plaintiffs' request for relief is frivolous and constitutes an abuse of process. The present suit presents no justiciable controversy. Plaintiffs have a long history of using the courts for improper purposes. Plaintiffs' suits have occupied the time of nearly every federal and state judge in Harris County.

This court is without subject matter jurisdiction to consider plaintiffs' request for declaratory relief. The claims presented are frivolous and present no justiciable controversy. Accordingly, this court dismisses plaintiffs" claims.

Based on plaintiffs' extensive litigation history,[3] this court finds it is necessary to notify plaintiffs that use of the courts for improper purposes, such as to bring frivolous claims or claims that have been decided in previous litigation, is a ground for sanctions.

SIGNED on February 6, 2002, at Houston, Texas.

_____ original has signature of below_____

Lee H. Rosenthal

United States District Judge

Page 1 is stamped "United States Courts
Southern District of Texas
ENTERED
FEB 7 2002
Michael N. Milby, Clerk of Court

Lower Left corner of each page has:
2261120 P:\CASES\2002\02-0087.a02.wpd

Lower right of page 1 has "USDC docket entry #12" on it;

The USDC record page numbers placed on this document for use by the USCA-5th Circuit is from 337 to 332;

Note that Defendant's name should be "Cueliar"

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3 The original has a very long list of suit titles, but not one of them refer to:

Yahvah in and through Yahvah's
Kingdom People via Ambassadors
Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd,

and are not relevant to the Claimant bringing this suit; See Yahvah's **Exhibit 105 "Claimant's Denial for Cause: of Exhibit 104"**; See pages 453-426 of the USDC record for H-02-0087.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Yahvah in and through Yahvah's
Kingdom, People via Ambassadors
Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd,
Plaintiffs,

Civil Action No.
H-02-0087

VS
Henry Cueliar, Texas Secretary of State;
et al
Defendants.

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ORDER OF DISMISSAL

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In accordance with this court's Memorandum and Order of even date, this action is DISMISSED.

SIGNED on February 6, 2002, at Houston, Texas.
_____ original has signature of below_____
Lee H. Rosenthal
United States District Judge

Page 1 is stamped "United States Courts
Southern District of Texas
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FEB 7 2002
Michael N. Milby, Clerk of Court

Lower right of page 1 has "USDC docket entry #13" on it;
The USDC record page numbers placed on this document for use by the USCA-5th Circuit is from 338;

Seal of UNITED STATES DISTRICT COURT
SOUTHERN TEXAS

YAHVAH, in and through YAHVAH'S
KINGDOM PEOPLE VIA
AMBASSADORS CLAUDE HUGH
LLOYD THE SECOND
AND CASSONDRA JEAN LLOYD

CA H-02-0087

V
HENRY CUELIAR, ET AL

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ORDER

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The Court has reviewed the following:

DENIAL FOR CAUSE OF PURPORTED
MEMORANDUM AND ORDER AND
ORDER OF DISMISSAL

_X_ This pleading does not set forth a colorable claim. The document is stricken from the record.

____ This pleading sets forth a colorable claim and may remain a part of the record.

SIGNED 9th day of April, 2002.
_____ original has signature of below_____
Kenneth M. Hoyt
U.S. District Judge

Page is stamped "United States Courts
Southern District of Texas
ENTERED
FEB 9 2002
Michael N. Milby, Clerk of Court"

The bottom of page has USDC docket entry "#17" on it;
The USDC record page numbers placed on this document for use by the USCA-5th Circuit is 455;

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

YAHVAH, in and through Yahvah's
Kingdom People via Ambassadors
Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd CA H-02-87

V
HENRY CUELIAR, et al

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ORDER STRIKING DOCUMENT

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The Clerk has filed your Default, Default Judgment, Final Order and Entry of Same for Defendants that failed to timely respond; however, it is deficient as checked. (L.R. refers to the Local Rule of this District).

7. X Other: The pleading does not comply with this Court's order entered on 2-22-02 in MC 02-19

The document is stricken from the record.

Date June 27, 2002
_____ original has signature of below_____
Kenneth M. Hoyt
UNITED STATES DISTRICT JUDGE

Page is stamped "United States Courts
Southern District of Texas
ENTERED
JUN 27 2002
Michael N. Milby, Clerk of Court"

The bottom of page has USDC docket entry "#19" on it;

The USDC record page numbers placed on this document for use by the USCA-5th Circuit is 470;

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

YAHVAH, in and through Yahvah's
Kingdom People via Ambassadors
Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd CA H-02-87

V
HENRY CUELIAR, et al

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ORDER STRIKING DOCUMENT

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The Clerk has filed your Claimant's Denial in its entirety for Cause of City of Baytown's Response to Demand; however, it is deficient as checked. (L.R. refers to the Local Rule of this District).

7. _X_ Other: The pleading does not comply with this Court's order entered on 2-22-02 in MC 02-19

The document is stricken from the record.

Date July 9, 2002

_____ original has signature of below_____
Kenneth M. Hoyt
UNITED STATES DISTRICT JUDGE

Page is stamped "United States Courts
Southern District of Texas
ENTERED
JUN 27 2002
Michael N. Milby, Clerk of Court"

The bottom of page has USDC docket entry "#21" on it;

The USDC record page numbers placed on this document for use by the USCA-5th Circuit is 483;

seal of UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

YAHVAH, in and through Yahvah's
Kingdom People via Ambassadors
Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd CA H-02-87

V
HENRY CUELIAR, et al

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ORDER

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The Court has reviewed the following:

Final Order of Formal Acknowledgment
from United States District Court

√ This pleading does not set forth a colorable claim.
The document is stricken from the record.

Signed this 19th day of October, 2002
_____ original has signature of below_____
Kenneth M. Hoyt
United States District Judge

Page is stamped "United States Courts
Southern District of Texas
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OCT 21 2002
Michael N. Milby, Clerk of Court"

The bottom of page has USDC docket entry "#23" on it;

The USDC record page numbers placed on this document
for use by the USCA-5th Circuit is 583;

Seal of UNITED STATES DISTRICT COURT
SOUTHERN TEXAS

YAHVAH, in and through YAHVAH'S
KINGDOM PEOPLE VIA
AMBASSADORS CLAUDE HUGH
LLOYD THE SECOND
AND CASSONDRA JEAN LLOYD

CA H-02-0087

V
HENRY CUELIAR, ET AL

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ORDER

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The Court has reviewed the following:

**Notice of Appeal**

__X__ This pleading does not set forth a colorable claim. The document is stricken from the record.

____ This pleading sets forth a colorable claim and may remain a part of the record.

SIGNED 1st day of November, 2002.
_____ original has signature of below_____
Kenneth M. Hoyt
U.S. District Judge

Page is stamped "United States Courts
Southern District of Texas
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NOV 1 2002
Michael N. Milby, Clerk of Court"

The bottom of page has USDC docket entry "#25" on it;

The USDC record page numbers placed on this document for use by the USCA-5th Circuit is 587;

**Public Notice**
**–Default Judgment Establishing Abandoned Paper**

"On the 20th day of 12th Scriptural Month of 6001 (gregorian calendar: 3-5-2002) the abandoned paper marked FINAL ORDER AND AMENDED FINAL ORDER and 2002-MC-02-019 and February 22, 2002 and February 25, 2002 was returned with refusal of presentment for cause without recourse as an attachment to a non-statutory abatement case # RR 901-554-703-US issued under the ministrative power of the Office Of The Messiah;

Kenneth M. Hoyt (United States District Judge) and Gwyn Shea (Texas Secretary of State) did not respond by the required rule date of 13-3-6001 (gc: 3-17-2002) and are wholly in Default, thereby abandoning said papers; Said abandonment is established by herein entry of Default and Default Judgement with res judicata and is henceforth Ordained and Established Truth in Law and at law in the public record;

Upon Default the Default Judgment was established as:

"• said papers are abandoned and said FINAL ORDER AND AMENDED FINAL ORDER are 'Void ab initio', just as if they never existed; and

• Anyone acting contrary to this Ordained and Established Truth is acting without any basis of Truth in Law or at law by doing so";

All are to ever hold their peace to anything contrary and not purger the public record."

Attached to Publisher's Affidavit of Highlands Star-Crosby Courier Editorial Manager Bobby Horn at Harris County, Texas as published on 4-11-2002 with notary public seal signed 5-2-2002;

Filed with USDC on 10-7-2002 as cause #H-02-0087 docket entry #22 "Final Order of Formal Acknowledgment", as Exhibit "D2p";

The USDC record page numbers placed on this document for use in appeal to USCA-5th Circuit is from "495-494";

in the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law
**Yahvah's Kingdom Ecclesiastical common Law Court**
per Matthew 18:15-20* At all Times by Special Visitation **only** without Consent to any venue or jurisdiction not acknowledging The Kingdom Of Yahvah

Civil Action **in Comity** No. **H 02-0087**

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**United States District Court**
**Southern District of Texas, Houston Division**

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Yahvah in an through Yahvah's Kingdom People
via Ambassador Claude Hugh Lloyd the Second
and Ambassador Cassondra Jean Lloyd Claimant -
Vs
Henry Cueliar –Texas Secretary of State
Rick Perry –Texas Governor
Clarence James –Harris County Appraisal Review Board
Jim Robinson –Harris County Appraisal District
Pete Alfaro –Baytown Mayor
Don Hendrix –Crosby ISD Superintendent
Barbara Sultis –Goose Creek ISD Superintendent
All others of like kind Defendants

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**Yahvah's Entry of Default and Default Judgment Establishing Formal Acknowledgment**

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by Appellant: Yahvah in and through Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas (77520) Kingdom Of Yahvah, foreign Venue and Jurisdiction Telephone: (281) 837-6747

**Oral Hearing Requested**

**To All defendants and to whom these presents come:**

1.0: One-and-Only Evidence all defendants were required to produce

2.0: Responses:

- Four (4) defendants Defaulted by not responding at all;
- Three (3) non-defendants of unlike kind Defaulted by timely response to the Summons but not even mentioned the One-and-Only evidence that all defendants were required to produce;
- sua sponte #1 (on own initiative) Defaulted by not timely rebutting Claimant's Denial for Causes of sua sponte #1 in its entirety;
- sua sponte #2 (on own initiative) abandoned its papers by Default in not timely fixing process errors and not responding to non-statutory abatement at all;

3.0: All defendants defaulted by not responding to One-and-Only evidence required of them;

4.0: Default Judgment against all Defendants;

5.0: Final Order of "Formal Acknowledgment" from The Kingdom Of Yahvah;

6.0: Entry of Default, Default Judgment, Final Order from Yahvah's Kingdom establishing Defendant's Formal Acknowledgment as Truth in The Public Record, res judicata;

7.0: Demand for Summary Judgment in comity at the United States District Court;

8.0: Final Order of Formal Acknowledgment from United States District Court, cause closed;

Exhibit: **List of Exhibits**

A Summons issued by the Court to each Defendant requiring a timely response from each Defendant within sixty (60) days from the receipt of the Summons –Docket entry #5-11

Ar Return of Service of Summons on all defendants –Docket entry #5-11

Note: Summons were received by all defendants by **11-14-6001** (gc: 1-28-2002);

B sua sponte #1 on own initiative of the one using the misnomer of "Lee H. Rosenthal" "MEMORANDUM AND ORDER" and "ORDER OF DISMISSAL" –Docket entry #12-13 • issued by mistake on **11-23-6001** (gc: 2-6-2002)

B1 Claimant's Denial of Exhibit B in its entirety with Point-for-Point Denial for Causes per ministerial duties of The Messiah –Docket entry #16 • issued on 13-20-6001 (gc: 4-4-2002)

B1r Court received B1 on 13-21-6001 (gc: 4-5-2002) Defendants received B1 about same time

B1s sua sponte #1S on own initiative of the one using the misnomer of "Kenneth M. Hoyt" purported "ORDER" –purported as docket entry #17 and • issued by mistake on **13-25-6001** (gc: 4-9-2002) denied paper appended to Exhibit B1s2

B1s1 Claimant's Denial for Causes of all purported "STRIKING ORDERS" of the one using the misnomer of "Kenneth M. Hoyt" –Docket entry #22

B1s2 Claimant's Point-for-Point Denial for Causes of purported attempt to strike Claimant's Denial for Causes docketed as entry #16 Denial appended to Exhibit B1s1 • issued on 5-25-6002 (gc:9-3-2002)

B1s1r the one using misnomer of "Kenneth M. Hoyt" received B1s1 on 6-25-6002 (gc: 10-3-2002)

C "HARRIS COUNTY APPRAISAL DISTRICT'S AND HARRIS COUNTY APPRAISAL REVIEW BOARD'S MOTION TO DISMISS OR ALTERNATELY FOR A MORE DEFINITE STATEMENT" –entry #14 • issued on **11-29-6001** (gc: 2-12-2002)

B1 HCAD & HCARB received more definite Statement on 13-21-6001 (gc: 4-5-2002) –entry #16

C1 Claimant's Denial of Exhibit C in its entirety for Causes presented per ministerial duties of The Messiah –Docket entry #20b • issued on 2-18-6002 (gc: 5-31-2002)

C1r HCAD & HCARB and Court received C1 on 3-21-6002 (gc: 7-3-2002)

C1s sua sponte #2S2 on own initiative of the one using the misnomer of "Kenneth M. Hoyt" purported "ORDER STRIKING DOCUMENT" –purported as entry #21 and denied paper appended to B1s1 • issued by mistake on **3-27-6002** (gc: 7-9-2002)

B1s1 Claimant's Denial of Exhibit C1s in its entirety for Causes –Docket entry #22 • issued on 5-25-6002 (gc:9-3-2002)

B1s1r the one using misnomer of "Kenneth M. Hoyt" received B1s1 on 6-25-6002 (gc: 10-3-2002)

D sua sponte #2 on own initiative of one using misnomer of "Kenneth M. Hoyt" Misc. Action No. 2002-MC-02-019 "FINAL ORDER" and "AMENDED FINAL ORDER" • issued by mistake on **12-9 /12-6001** (gc:2-22/25-2002) –Abandoned papers appended to D1

D1 Claimant's "non-statutory abatement" case # RR901-544-730-US returning Exhibit D to fix process errors with refusal of presentment for cause without recourse per ministerial duties of The Messiah • issued on 12-19-6001 (gc: 3-4-2002) –entry #22

D1r D1 received by one misnomered "Kenneth M. Hoyt" 12-20-6001 (gc: 3-5-2002) –entry #22

D2 the one using misnomer of "Kenneth M. Hoyt" did not respond by the required non-statutory abatement rule date of 13-2-6001 and is wholly in default, so Claimant's "non-statutory abatement Default and Default Judgment" entered the abandonment of Exhibit D making it void / of no force and effect ab initio • issued **13-3-6001** (gc: 3-18-2002) –entry #22

D2r D2 received by one misnomered "Kenneth M. Hoyt" **13-5-6001** (gc: 3-20-2002) –entry #22

D2p Claimant's "Public Newspaper Notice" in the Highland Star-Crosby Courier News entering Default & Default Judgment establishing Exhibit D as abandoned as Truth in Law and at law; • published on 13-27-6001 (gc: 4-11-2002): res judicata in the public record –entry #22

E "CITY OF BAYTOWN'S MOTION TO DISMISS OR ALTERNATELY FOR A MORE DEFINITE STATEMENT" • issued on **12-28-6001** (gc: 3-13-2002) –Docket entry #15

B1 CITY OF BAYTOWN received a more definite Statement B1 on 13-21-6001 (gc: 4-5-2002) –entry #16

E1 Claimant's Denial of Exhibit E in its entirety for Causes presented per ministerial duties of The Messiah –Docket entry #20a • issued on 2-18-6002 (gc: 5-31-2002)

E1r non-defendant of unlike kind CITY OF BAYTOWN and Court received E1 on 3-21-6002 (gc: 7-3-2002)

E1s sua sponte #2S3 on own initiative of the one using the misnomer of "Kenneth M. Hoyt" purported "ORDER STRIKING DOCUMENT" –purported as entry #21 and • issued by mistake on **3-27-6002** (gc: 7-9-2002) denied paper appended to B1s1

B1s1 Claimant's Denial of Exhibit E1s in its entirety for Causes –Docket entry #22 • issued on 5-25-6002 (gc:9-3-2002)

B1s1r the one using misnomer of "Kenneth M. Hoyt" received B1s1 on 6-25-6002 (gc: 10-3-2002)

F1 Claimant's Notice of Default to 4 defendants that did not timely respond at all to the Court ordered summons and Demand for Judicial Determination; –Docket entry #18 • issued on 2-18-6002 (gc: 5-31-2002)

F1r 4 Defaulting defendants received F1 by **3-13-6002** (gc: 6-25-2002) Other 3 Defendants and Court received F1 about the same time

F1s sua sponte #2S1 on own initiative of the one using the misnomer of "Kenneth M. Hoyt" purported "ORDER STRIKING DOCUMENT" –purported as entry #19 and • issued by mistake on **2-20-6002** (gc: 6-2-2002) –denied paper appended to B1s1

B1s1 Claimant's Denial of Exhibit F1s in its entirety for Causes –Docket entry #22 • issued on 5-25-6002 (gc:9-3-2002)

B1s1r the one using misnomer of "Kenneth M. Hoyt" received B1s1 on 6-25-6002 (gc: 10-3-2002)

Gp-news Claimant's "Public Newspaper Notice" in the Highland Star-Crosby Courier News entering Judgment from The Kingdom Of Yahvah Establishing Formal Acknowledgment as Truth in Law and at law; res judicata in the public record –published on 6-4-6002 (gc:9-12-2002)

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* Misnomer: "The act of applying a wrong name... to a person; An error in naming a person or place in a legal document." *Webster's New World Dictionary third College Edition, 1988, –page 867;* See also pages #15 and 5 of Exhibit B1s2 for further clarification and significance;

**This List of Exhibits is Yahvah's Kingdom Ekklesiastical Common Law Court docket for cause;

**Entry of Default and Default Judgment Order of Formal Acknowledgment**

0.1: Judges, take Judicial Notice of all that is within the cause file with careful special consideration to the foreign to color-of-law Default and Default Judgment and Final Order from Yahvah HaMashiyach – Yahvah Kawdesh through His "Yahvah Kingdom People" Ekklesia via His "YKP" Kingdom Corporation Sole Registered Agent Ambassador Claude Hugh Lloyd the Second and Ambassador Cassondra Jean Lloyd;

**1.0: One-and-Only Evidence all defendants were required to produce:**

1.1: Claimant's Demand for Judicial Determination raised only one thing to be produced by each defendant in this cause;

1.2: The One-and-Only Evidence to be produced is any ordained and established proof of contrary evidence that was served –timely or otherwise– on the Claimant by any defendants that denied, refuted, or rebutted Claimant's Claim;

1.3: Claimant's Claim is that the commercial Federal or State has no venue or jurisdiction over Yahvah, Yahvah's Kingdom, Yahvah's Ekklesia, Yahvah's People, Yahvah's Ambassadors, Yahvah's Land, or any of Yahvah's Things redeemed and given back to Him with no strings attached, and specifically in this cause Yahvah's said Ambassadors and Yahvah's said Land;

1.4: Claimant's Claim is Truth ordained and established in the public record since 1996 with a preponderance of proof of evidence served upon the defendants, requiring a timely response of any contrary evidence from the defendants;

1.5: All defendants and all creation failed to deny, refute, rebut, even mention or respond in any way to the One-and-Only Evidence they were required to produce; Their non-response resulted in all defendants tacitly acknowledging Claimant's Claim as Truth and establishing it in the public record since 1996, res judicata;

1.6: Upon a few –not seeming able to acknowledge Truth to the extent of being restrained from acting contrary to it– fabricating harassments that violate said Truth established in the Public record, several State employees, not wanting to participate in such harassments, requested Yahvah to get the "Tacit Acknowledgment" upgraded to a "Formal Acknowledgment" that gives them authority to not participate in the harassment;

1.7: This cause was initiated to provide requested Formal Acknowledgment;

1.8: This cause raised 5 counts of Truth that must be overcome by the defendants with ordained and established counter proof of evidence timely served upon Claimant through His Ambassadors;

1.9: The 5 counts of Truth upon which Claimant's Claim is based are:

1: **Exclusive Preeminence** of Creator over His Creation

2: **Sovereign Immunity** of Our Creator concerning His Ambassadors and His Land; To effectively communicate Yahvah's Exclusive Dominion to those in color-of-law, the **Paramount Title** of the Exclusive Assign to the appropriate Spanish Land Grant –backed by Treaty of Guadalupe Hidalgo between the united states of America and Mexico

3: **Principle of Law** and all systems of law concerning timely silence

4: **Yahvah's jurisdiction limits** upon man's color-or-law

5: **Yahvah Kawdesh**

1.10: Each count ends with the requirement for defendants to produce proof of timely-served ordained and established evidence that State or Federal has any venue or jurisdiction over Yahvah, His Kingdom, Ekklesia, People, Ambassadors, Land, Things, and specifically said Ambassadors and said Land;

1.11: Otherwise the lack of production of such evidence would result in the demanded upgrade of the long-established Tacit Acknowledgment to a **Formal Acknowledgment** established in the public record, res judicata;

**2.0: Responses:**

2.1: No defendant nor anyone purporting to represent the Court addressed the cause's **One-and-Only Evidence** required for defendants to produce: Proof of Ordained and Established evidence that they –timely or otherwise– denied, refuted, rebutted, or responded to Claimant's ordained and established Claim as Truth in the Public Record; res judicata;

2.2: Nor did any defendant or the Court yet address any one of the 5 counts of Truth upon which Claimant's Claim is based;

2.3: **Four defendants Defaulted by not responding at all:**

2.3.1: Four defendants did not timely or otherwise respond at all to the Court-ordered-Summons and Demand for Judicial Determination;

Thank you for your consideration in this cause;

2.3.2: Per Scriptural Law regarding Silence as presented in **Deuteronomy 19:15-20** and **Matthew 18:15-20** and also in compliance with color-of-law Rule 8 (d):

> **Federal Rules of Civil Procedure**
> **– Rule 8 (d) Effect of Failure to Deny**
>
> Averments in a pleading to which a responsive pleading is required, other than those as to the amount of damage,are admitted when not denied in the responsive pleading.

2.3.3: Your Default in this cause is hereby established and subjects you to the Default Judgment specified in the Demand for Judicial Determination that would occur upon your Default: the Default Judgment is your upgrading your "Tacit Acknowledgment" to "**Formal Acknowledgment**";
See **Exhibit "F1"** for "Default and Default Judgment" for non-responses;
See **Exhibit "F1r"** for Proof of Receipts by Defaulting Defendant's

2.4: Three (3) non-defendants of unlike kind issued a "friend of the Court" brief that were not signed by nor filed by any defendant; Initial non-responses were filed timely but defaulted in not responding to that required by the Summons and not mentioning the One-and-Only evidence anyone was required to produce;

2.4.1: Thank you for your timely responses;

2.4.2: HARRIS COUNTY APPRAISAL DISTRICT and HARRIS COUNTY APPRAISAL REVIEW BOARD responded on 11-29-6001 (gc: 2-12-2002); See Response in attached **Exhibit "C"**;

2.4.3: CITY OF BAYTOWN responded on 12-28-6001 (gc: 3-13-2002) See Response in **Exhibit "E"**;

2.4.4: Yahvah appreciates your responses, even though all 3 above responses are completely non-responsive in that they completely avoided producing, answering, or even mentioning the **One-and-Only Evidence required for the defendants or anyone to produce** in answering Claimant's Demand for Judicial Determination: **Proof of Evidence of any defendant serving Claimant** through His Ambassadors **any ordained and established contrary evidence to Claimant's Claim** –timely or otherwise;

2.4.5: Nor did any of the defendants address or even mention any one of the 5 counts of Truth required to overcome the basis for Claimant's Claim;

2.4.6: Defendants non-responsive responses are deemed as silence in answering **the One-and-Only Evidence required of them to produce by the Court-issued Summons;**

2.4.7: All creation appreciates that their non-responsive response is the best they can do because no one can do anything against ordained & established Truth, and can only formally acknowledge Truth already ordained and established in the public record, as you have formally done in your non-responses;

2.4.8: **Your non-responsive responses are deemed as your Formal Acknowledgments of Yahvah's Ordained / Established Claim as Truth;**

2.4.9: Thank you for your timely Formal Acknowledgment of The Truth;

2.4.10: Claimant responded with a more-definite Statement shown in **Exhibit B1** sent to each Defendant with proof of service in **Exhibit B1r**;

2.4.11: Upon each non-defendant defaulted in not responding to the more-definite Statement, thereby abandoning any purported interest claimed ; See **Exhibit "C1"** and **"E1"** with proof of receipts in **Exhibit "C1r"** and **"E1r"**;

2.5: **Sua sponte** #1 on the initiative of the one using the misnomer "Lee H.Rosenthal" was abandoned via default by not timely rebutting The Truth presented in **Claimant's Denial for Causes of sua sponte #1 in its entirety**:

2.5.1: On 11-23-6001 the one using the misnomer "Lee H. Rosenthal" filed an attempt to thwart the demand on the defendants to produce any evidence that they ever -timely or otherwise- denied or rebutted Claimant's Claim presented in this cause, by raising other supposed issues than addressing or even mentioning causes One and Only Issue required to be addressed; No said supposed issues were raised in Claimant's Demand and none were supported with any proof of evidence; See **Exhibit "B"** for sua sponte #1;

2.5.2: Claimant timely **Denied in its entirety** sua sponte #1 by a Point-by-Point Denial **for causes** averred for every supposed issue raised in the sua sponte #1 in attempting to alleviate defendants requirement to produce any contrary evidence to their long-ago established tacit acknowledgment; See **Exhibit "B1"** for Claimant's Denial of sua sponte #1 in its entirety for causes presented with a Point-for-Point Denial for Causes per ministerial duties of The Messiah issued on 13-20-6001;

2.5.3: The Court and all Defendants received Claimant's Total Denial of sua sponte #1 on 13-21-6001 (gc: 4-5-2002); See **Exhibit "B1r" Proof of Receipt** ;

2.5.4: By not timely answering back to Claimant's total Denial with a point-by-point rebuttal with proof of evidence or with any response, Claimant's averments stand and the sua sponte #1 has been abandoned thru default;

2.6: **Sua sponte #2** on the initiative of the one using the misnomer "Kenneth M. Hoyt" was **abandoned by Default in not fixing process or by timely responding to Claimant's non-statutory abatement**;

2.6.1: On 12-9 & 12-12-6001 another attempt was made to thwart the demand on the defendants to produce any evidence that they ever -timely or otherwise- denied or rebutted Claimant's Claim presented in this cause, by raising a separate cause of its own resulting in a no-evidence, no-accuser, no-hearing purported order barring Claimant's process servers from filing any paperwork in any cause and purportedly dismissing all causes for redress of grievances and remedies that the process servers have ever been in!; See **Exhibit "D"** sua sponte #2;

2.6.2: Claimant timely returned the sua sponte #2 purported order attached to Claimant's non-statutory abatement plea-out-of-bar to the one using the misnomer "Kenneth M. Hoyt" impersonating judge of an unknown COURT; See **Exhibit "D1"** for Claimant's non-statutory abatement case # RR901-544-730-US returning Exhibit D to fix process errors with refusal of presentment without recourse per ministerial duties of The Messiah;

2.6.3: The one using the misnomer "Kenneth M. Hoyt" received return of abandoned purported sua sponte #2 order with Claimant's non-statutory abatement on 13-3-6002 (gc: 3-18-2002); See **Exhibit "D1r"** for **Proof of Receipt**;

2.6.4: By the one using the misnomer "Kenneth M. Hoyt" not fixing stated process errors and not timely answering back to Claimant's non-statutory abatement with a point-by-point rebuttal and proof of evidence or with any response whatsoever, Claimant timely issued promised Default and Default Judgment and Claimant's non-statutory abatement stands and sua sponte #2 was abandoned via default; See **Exhibit "D2"** for Claimant's "non-statutory abatement Default and Default Judgment" entering

the abandonment of Exhibit D making it void and of no force and effect ab initio;
Claimant's responsibility of avoidance was initiated in regard to any future attempted force or effect to abandoned papers;

2.6.5: The one using the misnomer "Kenneth M. Hoyt" received Exhibit D2 Default and Default Judgment concerning sua sponte #2 abandoned purported "FINAL ORDER" and "AMENDED FINAL ORDER" on 13-5-6002 (gc: 3-20-2002); See **Exhibit "D2r"** for **Proof of Receipt**;

2.6.6: A "**Public Newspaper Notice**" published on **13-27-6001** (gc: 4-11-2002) in the Highland Star-Crosby Courier News entered said Default and Default Judgment into the public record; Said notice established in Law and at law, res judicata, the Truth that said Exhibit D papers are abandoned and Claimant has the responsibility of avoidance in regard to any past, present, or future attempt to bring force or effect from said abandoned papers; See **Exhibit "D2p"** for Public Newspaper Notice of Default Judgment;

2.6.7: The one using the misnomer "Kenneth M. Hoyt" seemed unable to realize that the applicable Law regarding Yahvah's non-commercial Kingdom is Yahvah's highest Law and not man's commercial color-of-law and has been ab initio without cause, venue, jurisdiction, or standing in attempting to strike any of Claimant's briefs, among which are:

**Exhibit B1** (docket #16) with fraudulent **Exhibit B1s** (mistaken entry #17),
**Exhibit F1** (docket #18) with fraudulent **Exhibit F1s** (mistaken entry #19),
**Exhibit E1** (docket #20a) with fraudulent **Exhibit E1s** (mistaken entry #21),
**Exhibit C1** (docket #20b) with fraudulent **Exhibit C1s** (mistaken entry #21),

2.6.8: On 5-25-6002 (gc: 9-3-2002) Claimant issued **Exhibit B1s1** "Claimant's Denial in entirety for Causes of all purported "STRIKING ORDERS" of the one using the misnomer of "Kenneth M. Hoyt"; **Exhibit B1s1** documents whole abandonment process with all required proofs of established evidence and brings force and effect to the Truth it contains by Denying for cause all attempts to strike Claimants briefs stemming from sua sponte #2;

2.6.9: The one using misnomer "Kenneth M. Hoyt" is receiving **Exhibit B1s1** "Claimant's Denial ... for Causes of all purported "STRIKING ORDERS..." via entry of this brief into H02-0087 cause file on 6-25-6002 (gc: 10-3-2002);

2.6.10: Claimant henceforth exercises the responsibility of avoidance as established in said non-statutory abatement Default & Default Judgment against all the purported "STRIKING ORDERS" stemming from abandoned sua sponte #2;

**3.0: All defendants defaulted by not producing One-and-Only required Evidence**

3.1: **Proof of Service of Summons:**

3.1.1: **Exhibit "A"** is the Summons issued by the Court to each defendant requiring a timely response from each defendant within sixty (60) days from the receipt of the Summons;

3.1.2: **Exhibit "Ar"** are the Returns of Service establishing the start of the sixty (60) day rule date for each defendant; Summons were received by all defendants by 11-14-6001 (gc: 1-28-2002);

3.2: **Ordaining of Defaults:**

3.2.1: For the 4 defendants that failed to timely respond at all:

- defendant: Henry Cueliar Texas Secretary of State –thru successor Gwyn Shea
- defendant: Rick Perry –Texas Governor –
- defendant: Don Hendrix –Crosby ISD Superintendent
- defendant: Barbara Sultis –Goose Creek ISD Superintendent;

your defaults were ordained by your silence in not timely responding at all within 60 days from your receipt of the Court-issued Summons requiring you to timely produce evidence concerning the cause's One-and-Only issue;

3.2.2: For the 3 non-defendants that submitted "friends of the court" non-responsive responses:

- non-defendant: HARRIS COUNTY APPRAISAL REVIEW BOARD
- non-defendant: HARRIS COUNTY APPRAISAL DISTRICT
- non-defendant: CITY OF BAYTOWN

your non-responsive responses are deemed as your Formal Acknowledgments of Yahvah's Ordained and Established Claim as Truth;

**4.0: Default Judgment against all Defendants:**

4.1: According to the terms and conditions of Claimant's Demand for Judicial Determination and by all defendants and Court's failure to timely produce proof of ordained and established evidence contrary to Claimants Claim:
A default would be entered against defendants and the following Judicial Determination Default Judgment in the form of a "**Final Order of Formal Acknowledgment**" would be issued upgrading defendant's long-established Tacit Acknowledgment to a Formal Acknowledgment;

**5.0: Final Order of "Formal Acknowledgment" from The Kingdom Of Yahvah:**
All defendants –by failing to timely bring forth any evidence to establish venue and jurisdiction over Yahvah, His Kingdom, ...– **have formally acknowledged their lack of venue and jurisdiction** over Yahvah, His Kingdom, Ekklesia, People, Ambassadors, Land, Things, and specifically over said Ambassadors and said Land, and therefore have waived any and all purported interests in Yahvah, His Kingdom, Ekklesia, People, Things, and specifically said Ambassadors and said Land;

Sealed, under The Authority (Matthew 28:18) per the Zeal of Yahvah of Hosts (Isaiah 9:7) and by Direction of YahvahRuach's Anointing On The Office Of The Messiah with YahvahShua (Romans 8:4), and by His Direct act of the hand for Me on this 25th day, 6th Scriptural month, six thousand and two Year Of The Reign Of Our King YahvahShua, The Messiah. (gregorian: 10-3-2002)

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Yahvah YahvahShua YahvahRuach as represented by His Ambassador Claude Hugh Lloyd the Second and Ambassador Cassondra Jean Lloyd visiting 3602 Savell, Baytown, Texas, Kingdom of Yahweh, foreign Venue and Jurisdiction

**6.0: Entry of Default, Default Judgment, Final Order from The Kingdom Of Yahvah** establishing Defendant's Formal Acknowledgment as Truth in the Public Record, res judicata

6.1: Upon defendant's receipt of this Default, Default Judgment, and Final Order of Formal Acknowledgment or upon newspaper "**Public Notice –Judgment Establishing Formal Acknowledgment**" –see **Exhibit Gp**, defendant's Formal Acknowledgment that the State and Federal have no venue or jurisdiction (no authority) over Yahvah, His Kingdom, His People, His Ambassadors, His Land, or any of His Things and specifically over Yahvah's said Ambassadors and said Land is entered into the Public Record; res judicata;

6.2: Thanks to all involved for your part in establishing said **Formal Acknowledgment** as Truth in the public record; Yahvah's Kingdom Cause concerning this matter is closed;

**7.0: Demand for Summary Judgment in comity at United States District Court**

7.1: Based on all Defendants not producing one shred of required evidence regarding the One-and-Only Evidence required to be produced by any defendant, that is: Ordained and established proof of contrary evidence that was served –timely or otherwise– on the Claimant by any defendant or anyone else that denied, refuted, or rebutted Claimant's Claim; here is Claimant's Demand for Judge to simply sign the attached "**Judicial Determination Final Order of Formal Acknowledgment**" that was also attached to Claimant's original Demand for Judicial Determination; Then the Court is to send copies of final order to all Defendants and Claimant and then close this cause in Comity;

_____original signed by_____
Yahvah YahvahShua YahvahRuach as represented by His Ambassador Claude Hugh Lloyd the Second and Ambassador Cassondra Jean Lloyd
visiting 3602 Savell, Baytown, Texas,
Kingdom of Yahweh, foreign Venue and Jurisdiction

In the mouth of 2 or 3 witnesses every matter is established (Deuteronomy 19:15, Matthew 18:16)
On above signed date, We the undersigned, Witness that We know the above signatories, and They, upon declaration of the foregoing, did knowingly and voluntarily affix Their signatures hereto: Witnessed

File stamped by Lee H. Rosenthal U.S. District Judge on 10-7-2002 as part of USDC docket entry "#22" "Default & Default Judgment of Formal Acknowledgment entered";

The USDC record page numbers placed on this document for USCA-5th Circuit use is from "571-563";

**Public Notice – Judgment Establishing Formal Acknowledgment**

On the 25th day of 10th Scriptural Month of 6001 (gregorian calendar: 1-10-2002) Yahvah Our Creator as Claimant filed Case #H02-0087, a Demand in Comity, with the United States District Court, Southern District of Texas, Houston Division for a Judicial Determination to upgrade State defendant's Tacit Acknowledgment to a Formal Acknowledgment of Yahvah's Exclusive Preeminence, Sovereign Immunity, Paramount Title, Maxims of Law on Silence, Jurisdictional Limitations on color-of-law entities, and His ability to cleanse His redeemed People, Land, and Things;

Demand required State political defendants to produce any evidence they have that denies, refutes, or rebuts Yahvah's Sovereignty over Himself, His Kingdom, Ekklesia, People, Ambassadors, Land, or Things, and specifically over His said Ambassadors and Land;

Henry Cueliar (thru successor Gwyn Shea -Texas Secretary of State), Rick Perry (Texas Governor), Don Hendrix (Crosby ISD Superintendent), and Barbara Sultis (Goose Creek ISD Superintendent) did not respond by the required rule date of the 17th day of 13th Scriptural Month of 6001 (gc: 4-1-2002) and are wholly in Default;

Clarence James (Harris County Appraisal Review Board), Jim Robinson (Harris County Appraisal District), and Pete Alfaro (Baytown Mayor) did not respond but their non-defendant associates responded but failed to produce, address, or even mention the one and only evidence the Summons required anyone to produce; Hence they too are wholly in Default;

Hence all State defendants are in Default and Default Judgement and a Final Order of **Formal Acknowledgment** was issued per the Terms specified in Claimant's Demand for Judicial Determination under the ministrative power of the Office Of The Messiah;

Said **Formal Acknowledgment** is established by herein entry of Default / Default Judgement in the public record; Upon entry of Default / Default Judgment it is established that:

- All State and Federal entities lack all venue and jurisdiction over Yahvah, Yahvah's Kingdom: Ekklesia, People, Ambassadors, Land, Things, and specifically His said Ambassadors Claude Hugh Lloyd the Second & Cassondra Jean Lloyd and His said Land;
- Due to established lack of jurisdiction, all State and Federal entities have waived any and all purported interests in Yahvah, Yahvah's Kingdom: Ekklesia, People, Ambassadors, Land, Things, and specifically His said Ambassadors and said Land Claude Hugh Lloyd the Second and Cassondra Jean Lloyd; and
- Anyone acting contrary to this Ordained and Established Truth is perjuring the public record, misrepresenting material facts, at enmity with Yahvah, and acting without any basis of Truth in Law or at law;

All are to ever hold their peace to anything contrary and not perjure the public record;

Said **Formal Acknowledgment** is henceforth Ordained and Established in the public record as Truth in Law and at law, res judicata;

Attached to Publisher's Affidavit of Highlands Star-Crosby Courier Editorial Manager Bobby Horn at Harris County, Texas as published on 9-12-2002 with notary public seal signed 9-20-2002;

File stamped by Lee H. Rosenthal U.S. District Judge on 10-7-2002 as part of USDC docket "#22" "Gp-news";

The USDC record page numbers placed on this document for use by the USCA-5th Circuit is from "585-584";

**United States Court of Appeals for the Fifth Circuit**

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No. **02-21226 Summary Calendar**

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Yahvah in and through Yahvah's Kingdom People via ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd

Plaintiff – Appellant

versus

Henry Cueliar, Texas Secretary of State; Rick Perry, Texas Governor; Clarence James, Harris County Appraisal Review Board, Jim Robinson, Harris County Appraisal District; Pete Alfaro, Baytown Mayor; Don Hendrix, Crosby Independent School District Superintendent; Barbara Sultis, Goose Creek Independent School District Superintendent, All others of like kind:

Defendants – Appellees

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Appeal from the United States District Court for the Southern District of Texas, Houston (H-02-CV-87)

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Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges. PER CURIAM:*

Claude Hugh Lloyd and Cassondra Jean Lloyd seek a declaratory judgment that the "taxing entities" of the United States and Texas have no jurisdiction over them. This court must examine the basis

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* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

of its jurisdiction, sua sponte if necessary. E.G., Copling v. Container Store, Inc., 174 F.3d 590, 594 (5th Cir. 1999). The Lloyds did not file a timely notice of appeal from the final judgment dismissing their action for lack of jurisdiction. Therefore, we lack jurisdiction to review that judgment. E.G. Dison v. Whitley, 20 F.3d 185, 186 (5th Cir. 1994).

The Lloyds did timely file a notice of appeal from the order striking their pleading entitled, "Final order of formal acknowledgment from United States District Court". Because the Lloyds have not identified any error in that order, however, they have abandoned that appeal. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F. 2d 744, 748 (5th Cir. 1987). The appeal is without arguable merit and, therefore, is DISMISSED as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2. (The "Demand to compel court to sign final order" is DENIED.)

The Lloyds are warned that filing future frivolous complaints or appeals will result in the imposition of sanctions.

APPEAL DISMISSED; MOTION DENIED; SANCTION WARNING ISSUED

Filed United States Court of Appeals Fifth Circuit
June 5, 2003 Charles R. Fulbruge III Clerk

in the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law
**Yahvah's Kingdom Ecclesiastical Common Law Court:**
Matthew 18:15-20 At all Times by Special Visitation **only**
without Consent to any venue or jurisdiction not acknowledging The Kingdom Of Yahvah
Civil Action **in Comity** No. **02-21226**

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**United States Court of Appeals for the Fifth Circuit**

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Yahvah in and through Yahvah's Kingdom People
via Ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd
Claimant – Appellant

V.

Texas Secretary of State –Henry Cueliar
Texas Governor –Rick Perry
Harris County Appraisal Review Board –Clarence James
Harris County Appraisal District –Jim Robinson
Baytown Mayor –Pete Alfaro
Crosby Independent School District Superintendent –Don Hendrix
Goose Creek Independent School District Superintendent –Barbara Sultis
All others of like kind:
Defendants – Appellees

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Appeal in Comity from the United States District Court, Southern District of Texas, Houston Division Civil Action in Comity No. 02-CV-87

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**Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003**

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by Appellant: Yahvah in and through Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas (77520) Kingdom Of Yahvah, foreign Venue and Jurisdiction phone: (281) 837-6747

note: Word count = 5,623

**USCA5 unpublished opinion dated 6-5-2003:**

14: USCA5 unpublished opinion dated 6-5-2003 ..... 2

**From Appellant's USDC Record Excerpts – Volume 1:**

Item # Pages: # of pages

1.1A: 256-225: USDC Exhibit 1A Diplomatic Notice of Applicable Law that is foreign to color-of-law ..... 32

**Denial in entirety for Causes of USDC sua sponte #1:**

10.1: 453-426: Claimant's Denial for Causes in entirety for USDC sua sponte 1 –purported 'MEMORANDUM AND ORDER' and 'ORDER OF DISMISSAL' ..... 28

10.2: 409-381: Claimant's Point-for-point Denials for Causes (Errors) in USDC sua sponte 1 ..... 30

**Denial in entirety for Causes (Errors) of non-Defendants:**

10.3: 482-477: Claimant's Denial in its entirety for Cause of CITY OF BAYTOWN's non-response to Demand .... 6

10.4: 476-471: Claimant's Denial in its entirety for Cause of "HARRIS COUNTY APPRAISAL DISTRICT'S AND HARRIS COUNTY APPRAISAL REVIEW BOARD's non-responsive response to Demand ..... 7

**Denial in entirety for Causes of USDC sua sponte #2:**

11: 558-547: B1s1 –Claimant's Denial in entirety of all purported Striking Orders ..... 12

11.1: 546-524: B1s2 –Claimant's Point-for-point Denial for Causes (Errors) in entirety of all purported attempts to strike Claimant's Denial of sua sponte 1 ..... 12

- 504, 502: service for Non-Statutory Abatement Part I
- 496-495.6: service for Non-Statutory Abatement Part II

Default Judgment abandoning all purported Strike Orders

12: 495-494: Exhibit D2-p-news: Yahvah entry of Default and Default Judgment ..... 2

abandoning all purported Strike Orders in public record

**Orders from Kingdom Of Yahvah in Comity:**

2: 571-563: Kingdom Of Yahvah Final Order of Formal Acknowledgment ..... 8.5

3: 485-484: Exhibit G-p-news: Yahvah entry of Default and foreign Default Judgment ..... 2

upgrading Defendants-Appellees "tacit acknowledgment" to "Formal Acknowledgment" in public record

4: 563: Demand for USDC Summary Judgment & Order. .5
5: 562: Formal Acknowledgment Order for court to sign. 1
15: USCA5: Yahvah is not a Respecter of Persons..... 1

**Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003:**

1. Based upon the following list of Errors (Denial for Cause) demand is hereby made for the USCA5 to reconsider their unpublished opinion attached as **Exhibit 14 "USCA5 6-5-2003 unpublished opinion"**:

**Asseveration of Truth:**

Yahvah as Claimant–Appellant thru "Yahvah's Kingdom People" Ekklesia via Yahvah's "YKP" Kingdom Corporation Sole Registered Agent undersigned Ambassadors Of Yahvah YahvahShua YahvahRuach declare the following is true, relevant, and certain to the best knowledge and belief Yahvah gives us:

**Specific Point-for-point Denials for Causes** of purported **"USCA5 6-5-2003 unpublished opinion"**:

Demand is hereby made for USCA5 to take Judicial Notice of all documents in the Appeals File; with specific attention to each of the many Errors (causes of denial) made on many point-for-point Denials in the Applicable Law and /or Truth pertaining to this matter in comity; The Court is to consider carefully each Error and crank their considerations into the causes **one-and-only issue** before any court in this matter;

"Where is **any evidence** that any foreign-to-Scripture color-of-law **commercial corporate government** –as represented by the Defendant-Appellees who have taken an Oath Of Office before Yahvah to act within the constitutional limitations on the duties of their office– **has any authority** –venue or jurisdiction– **over Yahvah**, YahvahShua, YahvahRuach, Elohim, El Shaddi –The One Who Was, Who Is, and Will Be / Will Come, The Creator of All Things ever Created– or His Kingdom: Ekklesia, People, Ambassadors, Land, or Things, and specifically Yahvah's said Land and said Ambassadors";

Exhibit 1A in USDC docket entry #1 of the original Demand for Jurisdictional Determination **cause file pages #256-225** sets forth the "Diplomatic Notice: Applicable Law that is foreign to color-of-law" in matters pertaining to Yahvah and His Kingdom: Ekklesia, People, Ambassadors, Land, or Things, and specifically Yahvah's said Land and Yahvah's said Ambassadors;

Said Applicable Law says All authority given by The Creator of All, Yahvah –among which is the authority of the court– is to **punish the wicked** (those violating Yahvah's Eternal Covenant Law –Summarized in the 10 Commandments that all creatures ever created are time-and-eternity accountable for) and to **praise the Righteous** (Those obeying Yahvah and trusting Yahvah to deliver them from violating Yahvah's Eternal Covenant Law by walking in YahvahRuach's guiding them in all Truth; See Romans 13:1-4 in context;

Points presented are shown in the order that they appear in said document: Many points denied show up many times –Each explicit or implied repeat is **an error** and is Denied for the causes stated; Even though for brevity, the Truth of each unique error is presented only once;

Note: Point number reference is comprised as follows:

- "**C**" stands for purported "**Caption**",
- "**UO**" for purported "**USCA5 6-5-2003 unpublished opinion**";
- "italic" indicates "Agreement"; "non-italic" indicates "Denied for Cause";
- ".1.–" stands for purported document page #, ".–.2" stands for line # within the document section;

**C.1.– Errors Concerning Purported Caption**

C.1.1 Caption page 1, line 1 states "YAHVAH":
**Denied for cause:** YAHVAH in all caps indicates a dead person, fiction, and is not to be used in referring to The Only One Who was, is, and ever will come and be; Yahvah is "The Only Living One"; He holds all creation together and is The Giver-of-all Life for His purposes; A(w)men. Yahvah's original Demand and all Claimant-Appellant's Briefs and Responses

have always used "Yahvah"; There is no authority anywhere to mistakenly replace the correct "Yahvah" with the deceptive "YAHVAH" ;
**Point of Error Denied for said cause;**

C.1.4 Caption line 4 states "Plaintiff":
**Denied for cause:** Cause is brought by "**Claimant**" per original caption, not "Plaintiff"; The following Truth is submitted to the Court for its consideration in not mistakenly misrepresenting this cause's setting:
• See USCA5 Exhibit 10.1 "Claimant's Denial for Causes (Errors) in entirety for USDC sua sponte 1 –purported 'MEMORANDUM AND ORDER' and 'ORDER OF DISMISSAL' in **USDC cause file pages #453-426** in general and specifically **page 448** § 2.6.1 "Nature of Cause, Definition of Terms": "**Comity** not Equity'", of USDC Docket Entry #16 and USDC Exhibit B1 for this Denial document;
• See **page 446** for Definition of Terms: "**Claimant** not Plaintiff";
• See, **page 445** for Definition of Terms: "**60 days** not 20 days";
**Error denied for said causes;**

C.1.13 Caption line 13 states "CITY OF BAYTOWN":
**Denied for cause:** We know that USCA5 requested the "CITY OF BAYTOWN" be added to the list of Defendant-Appellees, and We know that we without due diligence on our part in not getting a clear guidance from Yahvah concerning this matter, did prematurely consent to add "CITY OF BAYTOWN" to the list of Defendant-Appellees;

Upon getting the leading from Yahvah concerning this point, we made the mistake of prematurely saying it was OK, but upon reconsideration, We remove the addition as a error on our part to correct the record for your reconsideration; • CITY OF BAYTOWN is **not of like kind**:

All other Defendant-Appellees are not fictions and they are Defendant-Appellees because they violated the Oath of Office to not exceed the

constitutional limits on their office when they acted contrary to their "tacit Acknowledgment" that Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, and Things, and specifically Yahvah's said Land and Yahvah's said Ambassadors were out of the venue and jurisdiction of all the-kingdoms-of-this-world;

The CITY OF BAYTOWN is a commercial corporate fiction created by the State in its articles of incorporation and can **not take** an **Oath of Office before Yahvah** so is outside of the constitutional duties of its non-existing office, for it holds no office to be outside of its constitutional limitations;

Yahvah does not respect the PERSON (fiction) of men –Leviticus 19:15, 2 Chronicles 19:7, Psalm 119:117, Deuteronomy 1:16-17, Proverbs 24:23, Acts 10:34, Ephesians 6:9, Colossians 3:23-25, James 2:1, 2:9, 1 Peter 1:15-21, ...;

See attached **USCA5 Exhibit 15** "**Yahvah is not a respector of PERSONS**";

Besides, the political-leader Defendant Mayor for Baytown –Pete Alfaro was listed as a Defendant since the original Demand for Judicial Determination; He has taken an Oath Of Office and is of like kind in this matter;

Our mistake is an **Error herein denied for said cause**; and the "CITY OF BAYTOWN" is removed from list of Defendant-Appellees;

C.1.15 Caption line 15 states:

"Appeal from the United States District Court"
**Denied for cause:** It should be: "Appeal **in Comity** from the United States District Court"
Please do not misrepresent this cause to be anything other than a Cause "**in Comity**" from the only non-foreign state –Yahvah and His Kingdom– requesting a foreign State to formally acknowledge (not recognize) the "foreign-state tacitly acknowledged Judgment" against the State of Texas and the United States, represented by that foreign State's political leaders (Defendant-Appellees) for over six (6) years and counting;

Yahvah as Claimant-Appellant is not asking the State for anything that would in any way grant or even appear to grant any color-of-law State or Federal Entity or Court any venue or jurisdiction over what Yahvah created and has been given back to Him free-and-clear with no-strings-attached; That's why this cause-in-comity is in compliance with 28 USC §§1602-1611 –Jurisdictional Immunities of foreign states; **Error denied for said causes;**

**UO.1-2– Errors in Purported Unpublished Opinion**

UO.1.3 Purported Unpublished Opinion line 3 states: "Claude Hugh Lloyd and Cassondra Jean Lloyd": **Denied for cause:** It should be: "Yahvah in and through "Yahvah's Kingdom People" (Ekklesia –Assembly of called-out-ones by Yahvah) via (Yahvah's "YKP" Kingdom Corporation Sole Registered Agent Ambassadors) Ambassador Claude Hugh Lloyd The Second and Ambassador Cassondra Jean Lloyd (as Registered Agents for Yahvah's YKP Kingdom Corporation Sole);

Why does purported Unpublished Opinion address "Claude Hugh Lloyd and Cassondra Jean Lloyd" as if they were the Claimant-Appellant, and are not representing Yahvah in and thru Yahvah's Kingdom People Ekklesia as Registered Agents for YKP Kingdom Corporation Sole?: It was, is, will be Yahvah Who brought this cause-in-comity;

The Principle of the Law of Agency pertains to a Registered Agent for they represent the One Who sent them and they speak not for themselves, but for the One Who sent them; YahvahShua said, "the words that I speak to you I do not speak from Myself. But The Father Who abides in Me, He does His works." –John 14:10; Yahvah's Law in John 17:18 says, "As Yahvah sent YahvahShua, so YahvahShua sends us."

This same error appears on page 2 lines 3, 7, 10, & 17; **Errors denied for said causes;**

UO.1.4 Purported Unpublished Opinion line 4 states: "the taxing entities of the United States and Texas"; **Denied for cause:** It should be:"the commercial corporate State of Texas and the Federal United States"; This cause-in-comity is a jurisdictional issue, not a taxing issue; No where in the Judicial Determination or any of Yahvah Claimant-Appellant's Briefs does it state or even hint otherwise; **Error denied for said causes**;

UO.1.5 Purported Unpublished Opinion line 5 states: "over them";;
**Denied for cause:** It should be: "over Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, Things, and specifically over Yahvah's said Land and said Ambassadors";
Yahvah, as Claimant-Appellant, did not bring a cause-in-comity to establish any fictional PERSON or PERSONs, He created all things to ordain and establish His Kingdom, His Righteousness, His Ways, His Statutes, His Commandments, His Judgements, and His Testimonies;

Yahvah does not respect the PERSON (fiction) of men –Leviticus 19:15, 2 Chronicles 19:7, Psalm 119:117, Deuteronomy 1:16-17, Proverbs 24:23, Acts 10:34, Ephesians 6:9, Colossians 3:23-25, James 2:1, 2:9, 1 Peter 1:15-21, ...; See attached **USCA5 Exhibit 15 "Yahvah is not a respector of PERSONS"; Error denied for said causes;**

UO.1.5 -2.1 Purported Unpublished Opinion lines state: "This court must examine the basis of its jurisdiction, sua sponte if necessary."
**Denied for cause:** Court has jurisdiction to hear this cause-in-comity to "formally acknowledge" what political-leader Defendant-Appellees long-ago "tacitly acknowledged" as set forth in The Jurisdiction section on pages 3 - 29 of the original Demand for Jurisdictional Determination: USDC docket entry #1 and **USDC cause file pages #306-280:** *Note: The next 8 pages have been removed because they are presented in the Petition for Writ of Certiorari on pages 7-13. eft*

**Note 1:** Yahvah in and thru His Yahvah Kingdom People via His Ambassadors did timely respond and file the "Denial of purported "MEMORANDUM AND ORDER" and "ORDER OF DISMISSAL" whereby each point and issue raised by USDC was Denied for Causes (Errors) –1st per applicable Scriptural Law and also in compliance to color-or-law;

The 60 day rule per 28 USC §1608 was met for the Denial in the purported "MEMORANDUM AND ORDER" and "ORDER OF DISMISSAL" with a denial in its entirety, giving the USDC 60 days to deny or rebut for cause any denial for cause (error) presented in the response; USDC has yet to respond to the averments requiring a timely response and have accepted the averments made as truth in this matter per Scriptural Law on silence as well as Court rule 8 (d); Leaving the Demand for Judicial Determination standing as originally stated;

To Yahvah Claimant-Appellant's awareness, the cause-in-comity was never "Closed" as is evidenced by the admission into the USDC cause-in-comity file the briefs from "HARRIS COUNTY APPRAISAL DISTRICT'S and HARRIS COUNTY APPRAISAL REVIEW BOARD" and the "CITY OF BAYTOWN" docket #14-15;

Upon close scrutiny, We do not see the words "Final Order" or "Final Judgment" anywhere associated with Judge Rosenthal's "MEMORANDUM AND ORDER" or "ORDER OF DISMISSAL" –USDC docket entry 12 and 13; Indeed, docket entries 14 through 24 is evidence that the cause was far from being closed;

Even USCA5 unpublished opinion admits that Yahvah Claimant-Appellant did timely appeal the orders associated with the strikings, adding more evidence that the cause-in-comity was not closed; Therefore see the next section for Yahvah's demand for USCA5 to consider the long list of Errors timely

presented by Yahvah that have not been denied or rebutted by anyone, timely or otherwise; Therefore said averments stand as Truth in Law and at law;

**Note 2**: Regarding docket #s 14 and 15: the legal fictions filing them did not take an Oath of Office, nor do they have a mouth to do so; The County and City are parties of unlike kind to the Defendants and are not Defendant-Appellees, nor do they have any involvement or interest in Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land or Things and specifically over Yahvah's said Land and Yahvah's said Ambassadors, nor did they present any required proof of ordained and established evidence nor did they even mention the cause-in-comity's **One-and-Only issue** to be addressed: Namely:

"Where is **any evidence** that any foreign-to-Scripture color-of-law **commercial corporate government** –as represented by the Defendant-Appellees who have taken an Oath Of Office before Yahvah to act within the constitutional limitations on the duties of their office– **have any authority** –venue or jurisdiction– **over Yahvah**, YahvahShua, YahvahRuach, Elohim, El Shaddi –The One Who Was, Who Is, and Will Be / Will Come, The Creator of All Things ever Created– or His Kingdom: Ekklesia, People, Ambassadors, Land, or Things, and specifically Yahvah's said Land and Yahvah's said Ambassadors";

Even so, said fictional non-responsive responses were also by special visitation timely Denied in their entirety for Causes shown with proof of ordained and established evidence in the public record without anyone yet even mentioning the cause-in-comity's one-and-only issue:

These not-of-like-kind fictions also failed to timely or otherwise deny any of the Denied for cause and also accepted the averments made in Yahvah's denials per the Scriptural Law of Silence (also known in color-of-law as the Clearfield Doctrine or Court Rule 8 (d)); And again Yahvah Claimant-Appellant's **original Demand for Judicial Determination remains standing tall "as is"**;

Yahvah's appeal does not differentiate between the different moot points raised by USDC or by non-defendants; Thru timely silence, USDC, non-defendants, and each Defendant-Appellee accepted Yahvah's successful denial of all moot points raised by whoever and by the lack of any evidence or mention of the cause's **one issue**;

Therefore, Yahvah timely filed a notice of appeal of the whole cause-in-comity;
There is no standing USDC final judgment;
There is no standing USDC final judgment dismissing Yahvah's cause-in-comity; There is no standing USDC final judgment dismissing Yahvah's cause for lack of jurisdiction or for any reason; The cause in comity stands as originally filed with the additional evidence "lack of any required evidence on the cause's one-and-only-issue", all Defendant–Appellees being in total default, and the Foreign Judgment establishing Defendant-Appellees' **"Formal Acknowledgment"** in the public record; Same error appears on page 2 line 5; **Points Denied for Causes (Errors) stated:**

UO.2.10 Purported Unpublished Opinion line 10 states: "have not identified any error in that order";
**Denied for cause:** This statement is taken to refer to the USDC purported sua sponte #2 striking orders: See the following documents in the USDC cause file for a very long list of errors as presented in the causes of denial for each point that have been fully accepted by everyone:

**Denial in entirety for Causes of USDC sua sponte #1:**

10.1: 453-426: Claimant's Denial for Causes (**Errors**) in entirety for USDC sua sponte 1 –purported 'MEMORANDUM AND ORDER' and 'ORDER OF DISMISSAL'..... 28

10.2: 409-381: Claimant's Asseveration of Truth concerning Specific Point-for-point Denials for Causes (**Errors**) regarding USDC sua sponte 1..... 30

**Denial in entirety for Causes (Errors) of non-Defendants:**

10.3: 476-471: Claimant's Denial in its entirety for Cause (**Errors**) of "HARRIS COUNTY APPRAISAL DISTRICT'S and HARRIS COUNTY APPRAISAL REVIEW BOARD's non-responsive response to Demand ..... 7

10.4: 482-477: Claimant's Denial in its entirety for Cause (**Errors**) of CITY OF BAYTOWN's non-response to Demand ..... 6

**Denial in entirety for Causes of USDC sua sponte #2:**

11: 558-547: B1s1 –Claimant's Denial in entirety of all purported Striking Orders..... 12

11.1: 546-524: B1s2 –Claimant's Point-for-point Denial for Causes (Errors) in entirety of all purported attempts to strike Claimant's Denial of sua sponte #1..... 23

- 504, 502: service for Non-Statutory Abatement Part I
- 496-495.6: service for Non-Statutory Abatement Part II

**Default Judgment abandons all Strike Orders**

12: 495-494: Exhibit D2-p-news: Yahvah entry of Default and Default Judgment abandoning all purported Strike Orders into public record ..... 2

Note: Every issue raised by the USDC in their sua sponte #1, non-responsive responses from three non-defendants, and the series of sua sponte #2s were timely denied in their entirety for Causes on a point-for-point basis (denying and rebutting with proof of ordained and established evidence) each of the many-many errors in each court sua sponte and with even the non-responses from those of unlike kind, but no appearance or word has yet to be heard from any of the Defendant-Appellees;

Nor has any Defendant-Appellee or any non-responsive responding fictions of unlike kind yet (timely or otherwise) responded to any of Yahvah Claimant-Appellant denial for cause or rebuttals to the errors contained in their sua spontes and non-responses; Demand is hereby made for Judges to take Judicial Notice of the many errors contained in Yahvah's Denials for causes for both sua sponte #1 and #2; **Mis-representations denied for said causes**;

UO.2.12 Purported Unpublished Opinion line 12 states: "have abandoned that appeal" **Denied for cause:** It should be: "If Yahvah Claimant-Appellant has abandoned any appeal" we sure are not aware of it or how this is possible, when no Defendant ever denied or rebutter or appeared to counter the preponderance of Denial for Causes (Errors) timely presented to all involved; It is clearly not Yahvah Claimant-Appellant's intent to abandon His Cause-in-Comity, or any Appeal; If USCA5 needs more clarify in any Cause of Denial, let us know and we will assist how Yahvah leads;

**Misrepresentation denied for said causes**;

UO.2.13 Purported Unpublished Opinion line 13 states: "The appeal is without arguable merit" **Denied for cause:** "Yahvah Claimant-Appellant in special visitation in comity has timely argued in writing every issue raised by anyone, even those not qualified to respond; And no one has answered even one issue denied nor yet mentioned the **one-and-only issue** raised by the cause!

"Yahvah Claimant-Appellant has from the start demanded oral hearings to clarify the kind of misunderstanding apparent in the USCA5 unpublished opinion;

Yahvah is ready, able, and willing to clarify each and every relevant issue raised by anyone in oral argument which has always been required, never waived, and Yahvah's continues to demand an oral hearing to help all interested in showing up to understand each and every issue raised; **Error denied for said causes**;

UO.2.13 Purported Unpublished Opinion line 13 states: "is dismissed as frivolous"

**Denied for all the above errors:** and especially in light of no Defendant-Appellee yet appearing to answer the USDC Summons in Yahvah's original Demand and subsequent demands, all being not denied or rebutted and no one yet producing any required evidence or even mentioning Yahvah's required evidence in the causes **one-and-only issue**';

1.: Yahvah thru His Kingdom Ekklesia common law Court and cause-in-comity has further established the Truth in the public record that the-kingdoms-of-this-world have **no authority over the Creator and Sustainor of all things** by establishing all defendant's total silence in said cause and by entering the resulting Default and Default Judgment against the Defendant-Appellees published in the 6-4-6002 (gc: 9-12-2002) Highland Star Courier Exhibit 5 **"Public Notice: Judgment Establishing Formal Acknowledgment"** as Truth in Law and at law, res judicata;

2.: All Defendant-Appellees have formally accepted Claimant-Appellant's Demand for Formal Acknowledgement by not timely denying or rebutting with proof of any ordained and established evidence;

3.: Therefore in Comity herein is demand for the USCA5 Circuit Court to Sign attached Final Order Of Formal Acknowledgment and close the Cause;

Thank you for your reconsideration regarding this matter;

Signed, per The Authority of YahvahShua (Matthew 28:18) with The Zeal of Yahvah of Hosts (Isaiah 9:7) and by Direction of YahvahRuach's Anointing On The Messiah (Romans 8:4), this seventeenth day of third Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 6-18-2003)

_____Original signed as below and witnessed_____

YahvahRuach thru His "Yahweh Kingdom People" Ekklesia via His "Y.K.P." Kingdom Corporation Sole Registered Agent Ambassador Claude Hugh Lloyd the Second Of Yahvah YahvahShua YahvahRuach, suae potestate esse, and Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach, suae potestate esse,

The mouth of two or three witnesses establishes every matter (Deuteronomy 19:15, Matthew 18:16)

On above signed date, We the undersigned, Witness that We know above signatories, and They, upon declaration of the foregoing, did knowingly and voluntarily affix Their signatures hereto:

**Certificate of Service:**

The undersigned hereby certifies that a true copy of the **"Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"** has been timely served to the office of the Clerk for the United States Court of Appeals for the Fifth Circuit by United States Post Office by guaranteed over-night mail, and a true copy of the same has been served to the following this seventeenth day of third Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 6-18-2003):

**United States Court of Appeals for the Fifth Circuit:**
Attention: Tim Beckstrum, Clerk
600 Camp Street, New Orleans, Louisiana (70130)

cc: **Defendants-Appellees**:

- Texas Secretary of State, Henry Cueliar (thru Successor Gwyn Shea), 1019 Brazos Street, Room 220, Austin, Texas (78701)
- Texas Governor, Rick Perry, 1100 San Jacinto Street, Austin, Texas (78711)
- Harris County Appraisal Review Board, Clarence James, 2800 N. Loop West, Houston, Texas (77092)
- Harris County Appraisal District, Jim Robinson, 2800 N. Loop West, Houston, Texas (77092)
- Baytown Mayor, Pete Alfaro, 2401 Market, Baytown, Texas (77520)
- Crosby Independent School District Superintendent, Don Hendrix, 706 Runneburg Rd, Crosby, Texas (77532)
- Goose Creek ISD Superintendent, Barbara Sultis, 1415 Market Street, Baytown, Texas, (77520)
- All Others of Like Kind

also cc: CITY OF BAYTOWN (one time only), 2401 Market, Baytown, Texas (77520)

___ original signed as below____

Signed: Yahvah YahvahShua YahvahRuach by His YKP Registered Agent Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach visiting 3602 Savell Drive, Baytown, Texas (77521,) Kingdom Of Yahvah
281-837-6747 & Fax

**United States Court of Appeals**
**Fifth Circuit**
**Office of the Clerk**

CHARLES R. FULBRUGH III
CLERK

504-310-7790
600 CAMP STREET
NEW ORLEANS, LA 70130

June 20, 2003

Yahvah
3602 Savell
Baytown, TX 77520

No. 02-21226 Yahvah v. Cueliar
USDC No. H-02-CV-87

We will take no action on your document entitled, "appellant's demand to reconsider unpublished opinion dated 6/5/2003", which would have been treated as a motion for reconsideration. The time for filing a motion for reconsideration under 5Th CIR. R. 27 has expired. If you want the document returned, you must notify us within 15 days. Otherwise we will recycle it.

Sincerely, Charles R. Fulbruge III Clerk

original signed by Jann Wynne,
Deputy Clerk 504-310-7688

BR-9

in the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law
**Yahvah's Kingdom Ecclesiastical Common Law Court:**
Matthew 18:15-20 At all Times by Special Visitation **only**
without Consent to any venue or jurisdiction not acknowledging The Kingdom Of Yahvah
Civil Action **in Comity** No. **02-21226**

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**United States Court of Appeals for the Fifth Circuit**

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Yahvah in and through Yahvah's Kingdom People
via Ambassadors Claude Hugh Lloyd the Second and
Cassondra Jean Lloyd
Claimant – Appellant

V.

Texas Secretary of State –Henry Cueliar
Texas Governor –Rick Perry
Harris County Appraisal Review Board –Clarence James
Harris County Appraisal District –Jim Robinson
Baytown Mayor –Pete Alfaro
Crosby Independent School District Superintendent
–Don Hendrix
Goose Creek Independent School District Superintendent
–Barbara Sultis
All others of like kind:
Defendants – Appellees

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Appeal in Comity from the United States District Court, Southern District of Texas, Houston Division Civil Action in Comity No. 02-CV-87

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**Appellant's Demand in Comity (Request) for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003**

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by Appellant: Yahvah in and through Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas (77520) Kingdom Of Yahvah, foreign Venue and Jurisdiction phone: (281) 837-6747

**Document-Exhibits referenced:**

16: Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003 ..... 15 pages

16rr.1 and .2: Appellant's proof of timely sending Exhibit #16 ..... 1 page

17: USCA5 letter of untimely receipt of timely sent Exhibit #16 ..... 1 page

17rr: USCA5 proof of untimely receipt of Exhibit #16..... 1 page

18.1: USPS Item Inquiry –proving no fault in Appellant's sending Exhibit #16..... 1 page

18.2: USPS letter –apologizing and accepting full responsibility for delay..... 1 page

19: Appellant's Demand in Comity (request) for leave to admit Exhibit #16..... 2 page

5: 562: Final Order of Formal Acknowledgment for court to sign..... 1 page

**Appellant's Demand in Comity (Request) for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003**

For the reasons discussed herein, herein is Appellant's demand in comity (request) for the USCA5 to take leave to admit **Exhibit #16**: **"Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"** sent timely but received by the Court 1 day late as noticed to Appellant by court per attached Exhibit 17 "USCA5 letter of untimely receipt of timely sent Exhibit #16";

**Asseveration of Truth:**

Yahvah as Claimant–Appellant thru "Yahvah's Kingdom People" Ekklesia via Yahvah's "YKP" Kingdom Corporation Sole Registered Agent undersigned Ambassadors Of Yahvah YahvahShua YahvahRuach declare the following is true, relevant, and certain to the best knowledge and belief Yahvah gives us:

1. Demand in comity (request) is hereby made for USCA5 to take Judicial Notice of all documents in the Appeals File; with specific attention to the new Exhibits added herein and admit Exhibit #16 into the record and treat it as a demand in comity (motion) for reconsideration;

2. Yahvah Claimant-Appellant thru His Ambassadors exercised due diligence to get Exhibit #16 to USCA5 as is evidenced in attached **Exhibit 16rr.1-.2**: **"Appellant's proof of timely sending** Exhibit #16";
3. Note that Exhibit #16 was **sent** to • the court • at the right mailing location • at a **right time** 15:44 (3:44 p.m.) on gc 6-18-2003 • **in time** for the USPO's contracted USPS to deliver it to the court the following day gc 6-19-2003, as delivery was guaranteed by the USPO by noon on gc 6-19-2003;
4. Through no fault of the Appellant, Exhibit #16 was received one day late;
5. USCA5 promptly noticed Appellant of late delivery attached by **Exhibit #17**: **"USCA5 letter of untimely receipt of timely sent** Exhibit #16";
6. A second witness of the late delivery was received in attached **Exhibit # 17rr**:**"USCA5 proof of untimely receipt of** Exhibit #16";
7. USCA5's letter Exhibit 17 was noticed to Appellant on gc: 6-23-2003, upon which Yahvah's Ambassador visited the USPO to see what happened;
8. The Baytown USPO Postmaster made the Tracking Intranet Item Inquiry attached as **Exhibit #18.1** **"USPS Item Inquiry –proving no fault in Appellant's sending** Exhibit #16"and **Exhibit #18.2** **"USPS letter –apologizing and accepting full responsibility for delay"**;
9. Note that USPO got Exhibit 16 to New Orleans at 11:45 a.m. on the date to be in compliance with 5th Cir.R.40.4 (gc 6-19-2003), but did not deliver it until 8:04 a.m. the following day;
10. Please note that the incident cause #02-21226 is a cause in comity in compliance to Title 28 USC §§1602-1611; §1608 (d) states:

> In any action brought in a court of the United States or of a State, a foreign state, a political subdivision thereof, or an agency or instrumentality of a foreign state shall serve an answer or other responsive pleading to the complaint within **sixty days** after service has been made under this section.

The time required for responses in comity is given as sixty (60) days:

11. Also note that the sixty (60) days starts after service has been made, not when the order was signed; The court is to keep in mind the different scheduling requirement applicable to this incident cause in comity;
12. Even so, where USCA5 local rules can be accommodated, we have made due-dilligence-effort to be considerate of the courts normal scheduling; However this consideration does not grant any authorization to change the "in comity" nature of this cause;
13. Thank you for your consideration of the true "in comity" nature of this cause;
14. Therefore, with due-dilligence-standing on all accounts, herein is Appellant's Demand in Comity (request) for the court to take leave of their normal scheduling considerations and admit Exhibit #16 into the record and treat it as a demand in comity for reconsideration;
15. Thank you for your careful consideration regarding this matter; We would appreciate acknowledgment of granting requested admittance in comity;
16. Please also keep in mind the cause's one-and-only issue before the court in it's road to sign the attached: "**Judicial Determination Order**"; One signature is all that is required to settle this matter and close this cause;

Signed, per The Authority of YahvahShua (Matthew 28:18) with The Zeal of Yahvah of Hosts (Isaiah 9:7) and by Direction of YahvahRuach's Anointing On The Messiah (Romans 8:4), this twenty-fourth day of third Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 6-25-2003)

____Original signed and witnessed____

Signed: Yahvah YahvahShua YahvahRuach by His YKP Registered Agent Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach
visiting 3602 Savell Drive, Baytown, Texas (77521,)
Kingdom Of Yahvah 281-837-6747 & Fax

Among the supporting evidence attached to this Exhibit 206 contained in USCA5 cause file is proof that Claimant-Appellant did everything right in timely sending Exhibit 204 to USCA5:

- USPO Express mail PO-ADD
  Baytown MPO, Baytown, TX 77521-9998
  06/18/03 3:42 PM
  Destination: 70130
  Weight: 1 lb 4.20 oz
  Postage Type PVI
  Total Cost: 19.60
  Base Rate: 17.85
  Label#: ER147454660US
  Return Receipt: 1.75

- USPO Express mail
  to: U.S. 5th Circuit Court of Appeals
  600 Camp Street
  New Orleans, La 70130
  from: Yahvah by His Ambassadors
  Claude Hugh Lloyd and Cassondra
  Yahvah Kingdom People
  visiting 3602 Savell
  Baytown, Texas (77520)
  sent 6-18-03 at 15:44 PM

- Green Card Receipt
  for Express Mail # ER147454660US
  received on Jun 20, 2003
  at: U.S. 5th Circuit Court of Appeals
  600 Camp Street
  New Orleans, La 70130
  by: Kieth D. Laborde

• USPS Track/ Confirm –intranet Item Inquiry – Domestic
Item # ER147454660US
Date/Time Mailed: 06/18/2003 15:44
Scheduled Delivery: 06/19/2003 12:00

| | | |
|---|---|---|
| Arrival at Unit: | 06/20/2003 08:04 | New Orleans La 70113 |
| Arrival at Unit: | 06/20/2003 07:46 | New Orleans La 70113 |
| Enroute: | 06/19/2003 15:34 | New Orleans La 70141 |
| Enroute: | 06/19/2003 11:45 | New Orleans La 70141 |
| Enroute: | 06/18/2003 22:54 | Houston Tx 77205 |
| Accept: | 06/18/2003 15:44 | Baytown Tx 77521 |

• USPS Letter of apology and acceptance for full responsibility:
from: Expedited Services P O Box 250001
Houston Tx 77202-9601
June 25, 2003
to: U S 5th Circuit Court of Appeal
600 Camp Street
New Orleans La 70130
To Whom it May Concern:

On June 18, 2003, Yahvah thru His "Yahweh Kingdom People" Ekklesia via His "Y.K.P. Kingdom Corporation Sole mailed an Express Mail Article # ER147454660US. The Express Mail Article was addressed to U S 5th Circuit Court of Appeal and was scheduled for delivery the next day June 19, 2003 before 12 PM. The article was delivered on June 20, 2003. The article was delayed in transit.

We apologized for any inconvenience caused by this delay. Yahvah et al are no way responsible for this delay and we ask that they not be penalized in any manner for the circumstances beyond their control.

Thank you for you consideration. Should you need additional information, you may contact me at 713-226-3088.

Sincerely,
original signed by Rachel Reyes
Expedited Service Specialist

**Certificate of Service:**

The undersigned hereby certifies that a true copy of the **"Appellant's Demand in Comity (Request) for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"** has been filed in the office of the Clerk for the United States Court of Appeals for the Fifth Circuit, and a true copy of the same has been served this twenty-fourth day of third Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 6-25-2003) by United States Post Office mail to the following:

**United States Court of Appeals for the Fifth Circuit:**
Attention: Tim Beckstrum, Clerk
600 Camp Street, New Orleans, Louisiana (70130)

cc: **Defendants-Appellees**:

- Texas Secretary of State, Henry Cueliar (thru Successor Gwyn Shea), 1019 Brazos Street, Room 220, Austin, Texas (78701)
- Texas Governor, Rick Perry, 1100 San Jacinto Street, Austin, Texas (78711)
- Harris County Appraisal Review Board, Clarence James, 2800 N. Loop West, Houston, Texas (77092)
- Harris County Appraisal District, Jim Robinson, 2800 N. Loop West, Houston, Texas (77092)
- Baytown Mayor, Pete Alfaro, 2401 Market, Baytown, Texas (77520)
- Crosby Independent School District Superintendent, Don Hendrix, 706 Runneburg Rd, Crosby, Texas (77532)
- Goose Creek ISD Superintendent, Barbara Sultis, 1415 Market Street, Baytown, Texas, (77520)
- All Others of Like Kind

original has the signature below

Signed: Yahvah YahvahShua YahvahRuach by His YKP

Registered Agent Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach
visiting 3602 Savell Drive, Baytown, Texas (77521,)
Kingdom Of Yahvah 281-837-6747 & Fax

in the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law
**Yahvah's Kingdom Ecclesiastical Common Law Court:**
Matthew 18:15-20 At all Times by Special Visitation **only**
without Consent to any venue or jurisdiction not acknowledging The Kingdom Of Yahvah
Civil Action **in Comity** No. **02-21226**

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**United States Court of Appeals for the Fifth Circuit**

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Yahvah in and through Yahvah's Kingdom People
via Ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd
Claimant – Appellant

V.

Texas Secretary of State –Henry Cueliar
Texas Governor –Rick Perry
Harris County Appraisal Review Board –Clarence James
Harris County Appraisal District –Jim Robinson
Baytown Mayor –Pete Alfaro
Crosby Independent School District Superintendent –Don Hendrix
Goose Creek Independent School District Superintendent –Barbara Sultis
All others of like kind:
Defendants – Appellees

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Appeal in Comity from the United States District Court, Southern District of Texas, Houston Division Civil Action in Comity No. 02-CV-87

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**Appellant's Demand in Comity in compliance to 28 USC §1608 (d) to enter "Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"**

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by Appellant: Yahvah in and through Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas (77520) Kingdom Of Yahvah, foreign Venue and Jurisdiction phone: (281) 837-6747

**Document-Exhibits referenced:**

16: Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003 .....15 pages

5: 562: Final Order of Formal Acknowledgment for court to sign.....1 page

**Appellant's Demand in Comity in compliance to 28 USC §1608 (d) to enter "Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003"**

Attention: Judge Rhesa H. Barksdale:

**Asseveration of Truth:**

Yahvah as Claimant–Appellant thru "Yahvah's Kingdom People" Ekklesia via Yahvah's "YKP" Kingdom Corporation Sole Registered Agent undersigned Ambassadors Of Yahvah YahvahShua YahvahRuach declare the following is true, relevant, and certain to the best knowledge and belief Yahvah gives us:

1. Demand in comity (request) is hereby made for USCA5 to take Judicial Notice of all documents in the Appeals File; with specific attention to Exhibit #16 and enter it into the record and treat it as the timely-filed demand in comity for reconsideration that it is;
2. The Court has erred in its handling of this cause "in comity" brought and maintained in compliance with 28 USC §§1602-1611;
3. For your convenience Title 28 USC §1608 (d) states:

> In any action brought in a court of the United States or of a State, a foreign state, a political subdivision thereof, or an agency or instrumentality of a foreign state shall serve an answer or other responsive pleading to the complaint within **sixty days** after service has been made under this section.

4. The time required for responses in comity is given as sixty (60) days: Also note that the sixty (60) days starts after service has been made, not when the order was signed; The court is to keep in mind the different scheduling requirement applicable to this incident cause in comity;

5. Even so, where USCA5 local rules can be accommodated, we have made due-dilligence-effort to be considerate of the courts normal scheduling; However this consideration does not grant any authorization to change the "in comity" nature of this cause;
6. We are pleased to see the Court finally mentioning "Comity" in their paperwork for the first time in any response; This means to us the Court acknowledges the cause to be as originally filed "in Comity" in compliance with Title 28 USC §§1602-1611 and henceforth acknowledges the Court has erred in using the Courts scheduling rules for "in equity", rather than for "in comity";
7. Appellant demands Court to correct their error and timely "in comity" enter Exhibit #16 as being filed within the required sixty (60) days;
8. We are confident that we and the Court will eventually understand this unusual cause and get it right, and we are diligent to hang-in-there until it is right; Praise Yahvah!
9. Thank you for your consideration of the true "in comity" nature of this cause;
10. Therefore, with due-dilligence-standing on all accounts, herein is Appellant's Demand in Comity (request) for the court to enter Exhibit #16 into the record and treat it as the timely-filed demand in comity for reconsideration that it is;
11. Thank you for your careful consideration regarding this matter;
12. Please also keep in mind the cause's one-and-only issue before the court in it's road to sign the attached:"**Judicial Determination Order**"; One signature is all that is required to settle this matter and close this cause;

Signed, per The Authority of YahvahShua (Matthew 28:18) with The Zeal of Yahvah of Hosts (Isaiah 9:7) and by Direction of YahvahRuach's Anointing On The Messiah (Romans 8:4), this fourteenth day of fourth Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 7-14-2003)

Original signed and witnessed

**Certificate of Service:**

The undersigned hereby certifies that a true copy of the **Appellant's Demand in Comity in compliance to 28 USC §1608 (d) to enter "Appellant's Demand to Re-consider unpublished opinion dated 6-5-2003"** has been filed in the office of the Clerk for the United States Court of Appeals for the Fifth Circuit, and a true copy of the same has been served this twenty-fourth day of third Scriptural month the six thousand three Year Of The Reign Of YahvahShua The Messiah (gc: 6-25-2003) by United States Post Office mail to the following:

**United States Court of Appeals for the Fifth Circuit:**
Attention: Judge Rhesa H. Barksdale:
600 Camp Street, New Orleans, Louisiana (70130)

cc: **Defendants-Appellees**:

- Texas Secretary of State, Henry Cueliar (thru Successor Gwyn Shea), 1019 Brazos Street, Room 220, Austin, Texas (78701)
- Texas Governor, Rick Perry, 1100 San Jacinto Street, Austin, Texas (78711)
- Harris County Appraisal Review Board, Clarence James, 2800 N. Loop West, Houston, Texas (77092)
- Harris County Appraisal District, Jim Robinson, 2800 N. Loop West, Houston, Texas (77092)
- Baytown Mayor, Pete Alfaro, 2401 Market, Baytown, Texas (77520)
- Crosby Independent School District Superintendent, Don Hendrix, 706 Runneburg Rd, Crosby, Texas (77532)
- Goose Creek ISD Superintendent, Barbara Sultis, 1415 Market Street, Baytown, Texas, (77520)
- All Others of Like Kind

original has the signature below

Signed: Yahvah YahvahShua YahvahRuach by His YKP Registered Agent Ambassador Cassondra Jean Lloyd Of Yahvah YahvahShua YahvahRuach
visiting 3602 Savell Drive, Baytown, Texas (77521,)
Kingdom Of Yahvah 281-837-6747 & Fax

**United States Court of Appeals for the Fifth Circuit**

No. **02-21226 Summary Calendar**

D. C. Docket No. H-02-CV-87

Yahvah in and through Yahvah's Kingdom People via ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd

Plaintiff – Appellant

v.

Henry Cueliar, Texas Secretary of State; Rick Perry, Texas Governor; Clarence James, Harris County Appraisal Review Board, Jim Robinson, Harris County Appraisal District; Pete Alfaro, Baytown Mayor; Don Hendrix, Crosby Independent School District Superintendent; Barbara Sultis, Goose Creek Independent School District Superintendent, All others of like kind:

Defendants – Appellees

Appeal from the United States District Court for the Southern District of Texas, Houston

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

JUDGMENT

This cause was considered on the record on appeal and the briefs on file.

It is ordered and adjudged that the appeal is dismissed as frivolous.

IT IS FURTHER ORDERED that plaintiff-appellant pay to defendants-appellees the costs of appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE: Jun 27 2003

Filed United States Court of Appeals Fifth Circuit
June 5, 2003 Charles R. Fulbruge III Clerk

in the **United States Court of Appeals for the Fifth Circuit**

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No. **02-21226**

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Yahvah in and through Yahvah's Kingdom People via ambassadors Claude Hugh Lloyd the Second and Cassondra Jean Lloyd

Plaintiff – Appellant

v.

Henry Cueliar, Texas Secretary of State; Rick Perry, Texas Governor; Clarence James, Harris County Appraisal Review Board, Jim Robinson, Harris County Appraisal District; Pete Alfaro, Baytown Mayor; Don Hendrix, Crosby Independent School District Superintendent; Barbara Sultis, Goose Creek Independent School District Superintendent, All others of like kind:

Defendants – Appellees

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Appeal from the United States District Court for the Southern District of Texas, Houston

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O R D E R:

IT IS ORDERED that "Appellant's Demand in Comity (Request) for leave to admit Appellant's Demand to Reconsider unpublished opinion dated 6-5-2003" treated as a motion for leave to file petition for rehearing out of time is DENIED.

original Signed by RHESA H. BARKSDALE
UNITED STATES CIRCUIT JUDGE

Filed U.S. COURT OF APPEALS JUL 3 2003
Charles R. Fulbruge III Clerk

Stamped with seal of Clerk, U.S. Court of Appeals, Fifth Circuit By Dany P. Wovchs

Enter Order in AIMS Dated Jul 3 2003, Issue Order to: pro se, Send "info copy" or "CE" of Order to all panel members

**United States Court of Appeals**
**Fifth Circuit**
**Office of the Clerk**

CHARLES R. FULBRUGH III
CLERK

504-310-7790
600 CAMP STREET
NEW ORLEANS, LA 70130

July 24, 2003

Yahvah
3602 Savell
Baytown, TX 77520

No. 02-21226 Yahvah v. Cueliar
USDC No. H-02-CV-87

We received the document entitled, "Appellant's Demand in Comity ....". In light of this court's order dated July 3, 2003, we are taking no action on this motion.

Please advise this office within 15 days, what means , if any, you will take to have the documents returned to you. If no notice is received within 15 days, the documents will be recycled.

Sincerely, Charles R. Fulbruge III Clerk

original signed by Jann Wynne,
Deputy Clerk 504-310-7688
BR-9

Civil Action in Comity No.

from the Venue of The Kingdom Of Yahvah and Jurisdiction of Yahvah's Kingdom Covenant Law: Yahvah's Kingdom ecclesiastical common law Court per Matthew 18:15-20

At all times by special visitation only without consent to any venue or jurisdiction not acknowledging Yahvah's Kingdom

## Supreme Court of the United States

Yahvah in and thru "Yahvah's Kingdom People" Ekklesia via "YKP" Kingdom corporation sole Ambassador Claude Hugh Lloyd the Second &Ambassador Cassondra Jean Lloyd
Claimant, Appellant, Demandant, Petitioner

vs.

Henry Cueliar –Texas Secretary of State
Rick Perry –Texas Governor
Clarence James –Harris County Appraisal Review Board
Jim Robinson –Harris County Appraisal District
Pete Alfaro –Baytown Mayor
Don Hendrix –Crosby ISD Superintendent
Barbara Sultis –Goose Creek ISD Superintendent
Respondents

**Judicial Determination Order of Formal Acknowledgment from a Commercial Judge**

by Appellant: Yahvah in and through Yahvah's Kingdom People Ekklesia via His YKP Kingdom Corporation Sole Registered Agent Ambassadors visiting 3602 Savell Drive, Baytown, Texas (77520) Kingdom Of Yahvah, foreign Venue and Jurisdiction Telephone: (281) 837-6747

On this day came Claimant-Appellant's **Demand for a Judicial Determination Order of Formal Acknowledgment** of the foreign Nature of Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, Things, and specifically His said Ambassadors and Land from a Commercial Judge:

**Upon consideration, Judicial Determination is made:**

1. It is hereby ordered by this commercial Court that is outside of the non-commercial Venue and Jurisdiction of Yahvah's Kingdom to **upgrade** all commercial Respondent-Appellees' "Tacit Acknowledgment" of the foreign-to-commerce Nature, Venue, and Jurisdiction of Yahvah, His Kingdom: Ekklesia, People, Ambassadors, Land, and Things and specifically His said Ambassadors and said Land **to** a "**Formal Acknowledgment**" (not "Recognition"):
2. Henceforth **Yahvah's said Ambassador Claude Hugh Lloyd the Second** and **Ambassador Cassondra Jean Lloyd** and **Yahvah's said Land** are determined to be outside of the commercial corporate STATE OF TEXAS and the UNITED STATES, hence outside of venue and jurisdiction of all said commercial Respondent-Appellees, and thereby "**Formally Acknowledged**" that all commercial entities have no venue or jurisdiction over Yahvah, His said Land or His said Ambassadors;
3. For the express purpose of effectively communicating to all commercial entities to cease and desist in their unauthorized purported claims and harassments against The Creator of All –Yahvah, His said Ambassadors taking care of His said Lands, or His said Lands, res judicata; Cause Closed;

Signed this _____ day of _____, 2,003

_____

Supreme Court of the United States Judge